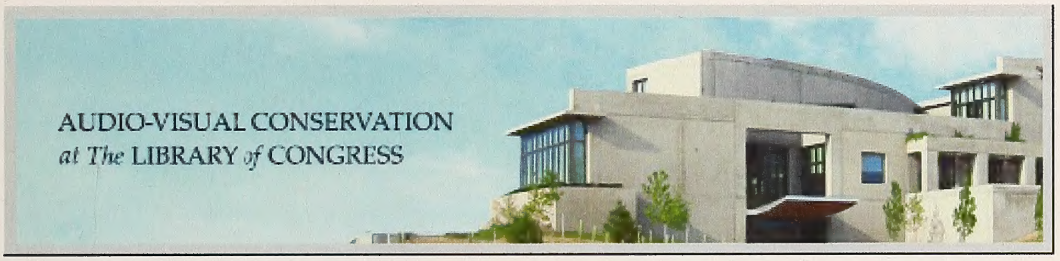

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 64 NEW YORK, MONDAY, OCTOBER 2, 1939 TEN CENTS

DO NOT REMOVE

Fate of British And U. S. Films In Quotas Law

English Trade in Chaos; Eager for Solution

By ALFRED FINESTONE

Whether American production in England shall continue will depend on the British Government's decision regarding the film quota, said Sam Sax, Warners British production head, who returned Friday night.

Sax and others who arrived on the *Nieuw Amsterdam* painted a picture of a disorganized film industry in Great Britain, but said that efforts are being pushed to bring order out of chaos.

Within a few weeks and possibly a month, as conditions become more settled, the future of the American companies' position in Britain should be known.

The liner also brought Ben Goetz, managing director of M-G-M British production; William B. Levy, managing director, Walt Disney-Mickey Mouse, Ltd.; Merle Oberon, wife of Alexander Korda, head of London Films; Mrs. Ernst Lubitsch, and a number of screen writers and players.

Suspension of the Films Act has been suggested as a war emergency, but, Sax said, the British producers are bringing strong pressure on the Government to retain the quota.

Should the quota remain, American companies will be hard put to find the necessary personnel and casts, as virtually none are available except those

(Continued on page 2)

Dembow's Duties Taken by Arthur

Harry C. Arthur has taken over film buying and general product supervision for Fanchon & Marco theatres, in addition to management duties. This was formerly handled by Sam Dembow, Jr.

Dembow remains a partner in Fanchon & Marco due to a substantial investment made when he joined the firm in April, 1938, as vice-president in executive charge of contact with film companies and the industry generally.

Dembow's retirement from the firm will not become effective until disposition of his financial interest. The move is due to disagreement with other executive officers over theatre operating policies. Dembow is considering other connections, but may

(Continued on page 6)

Ned Depinet Signed To New Long Term Contract by RKO

Ned E. Depinet was signed to a new long term contract as vice-president of RKO Radio Pictures in charge of distribution by George J. Schaefer, RKO president, on Friday, prior to the latter's departure for Hollywood.



Ned Depinet

Depinet has been associated with RKO Radio for the past eight years. Prior to that he was vice president of RKO Pathe. Earlier, he was general manager of First National and became vice president and general sales manager when that company was merged with Warner Bros. He also served in a similar capacity with Universal.

Depinet has been a member of the industry for 32 years. After becoming associated with RKO Pathe in 1931, he continued as vice-president until its consolidation with RKO Radio, when he became vice-president of RKO Distributing Co., its associate.

In February, 1934, he became presi-

(Continued on page 8)

U. S. Gives Majors Extra Time to Fix Trust Suit Replies

Time for the majors to answer or to move for modification of the government's 68 interrogatories in the anti-trust suit has been extended from Oct. 7 to Oct. 17, the U. S. attorney's office disclosed on Friday.

The government's time to take similar action in reference to the 38 interrogatories filed by United Artists Corp. and directed to the government have also ben extended to Oct. 17, the office stated.

Attack on Neely Bill Due at AFL Parley

CINCINNATI, O., Oct. 1.—The American Federation of Labor tomorrow will iterate its opposition to the Neely bill.

The position of the labor group will be voiced in the report of the executive council, to be submitted at the opening of the Federation's annual convention.

Pointing out that the bill was passed by the Senate at the last session "despite the opposition of all organizations of employees in the film industry," the committee will report that "if the bill becomes a law, it will mean that production schedules of the mo-

(Continued on page 8)

Mexico Considers Abolition Of Tax on Exported Money

By JAMES LOCKHART

MEXICO CITY, Oct. 1.—A financial break for American distributors is in prospect, with consideration being given by the Ministry of Finance to the proposition that the absentee tax, an impost of four per cent on all money sent out of Mexico, be abolished. This tax has been in effect for several years and has been costly to distributors and other foreign businessmen. The levy was established with the intent of keeping as much money in Mexico as possible.

Abolition of the tax, it is contended, will attract more foreign capital and serve to improve things generally. The Ministry is expected to act on the proposition early this month.

Search for pirate radio stations that broadcast pure war propaganda and are said to be operated by certain of the warring powers is being made by the Ministry of Communications and Public Works, director of air affairs in Mexico. Complaints against these clandestine stations have poured in upon the Ministry, which is much alarmed by these broadcasts.

So cleverly camouflaged are the stations that it is very difficult to locate them. Government agents, acting on a tip that one such station functions in a local cemetery spent a night in the graveyard without results.

Mexican distributors of French pictures are worrying about the $52,000 they paid Gallic producers in advance for distribution rights in Mexico. War has suspended production of films the Mexicans contracted for and put up

(Continued on page 3)

Factionalism Split Disrupts Allied of N. Y.

Independents to Organize New Group Tomorrow

Factionalism has broken out in New York Allied. A general mass meeting of independent New York exhibitors to plan for a new organization to be affiliated with National Allied, and a membership meeting of N. Y. Allied have been called for tomorrow in Syracuse. N. Y. Allied was expelled from the national organization.

Max A. Cohen, present head of the unit, who has been opposing the National Allied on policy, refused to comment on the split. The calls for the mass meeting and membership meeting were made by E. Thornton Kelly, executive secretary of the New York unit. Both meetings will be held at 1 P.M. tomorrow at the Hotel Syracuse.

The cal for the mass meeting, over Kelly's signature, states that plans will be presented for formation of a "statewide organization to be affiliated with National Allied." Sidney Samuelson, member of National Allied's executive board; Frank Lydon, Eastern regional vice-president of National Allied; Lee Newbury, president of New Jersey Allied, and Arthur Howard, business manager of I.T.O. of New England, will speak. Cohen's name was not listed.

The call for the mass meeting, over ing was made at the request of the board of directors of the N. Y. City unit at a meeting Thursday. Kelly stated that during a trip through the state, he found that a majority of members favored continued affiliation with the national body. He also declared that there was considerable dissatisfaction on internal policies.

Laemmle Services Scheduled Friday

Friends and former associates of the late Carl Laemmle will hold services in his memory at the West End Synagogue, 160 W. 82nd Street, Friday evening, Oct. 6, at 8:15 P. M. Rabbi Nathan Stern will officiate.

The honorary committee in charge includes Leo Abrams, Barney Balaban, Sam Shain, Nate J. Blumberg, Jack Cohn, Ned E. Depinet, James R. Grainger, Hal Hode, Maurice Kann, Jules Levy, B. S. Moss, Herman Robbins, E. M. Saunders, Nicholas M. Schenck, Pete Siebel, Herman Stern.

A similar service will be held the same evening in Chicago.

Fate of British And U. S. Films In Quotas Law

(*Continued from page 1*)

over military age, according to Sax.

Blackouts, with "lights out" at 6 P. M., made it impossible to maintain production schedules, and next month as the days shorten, work will stop an hour earlier, said Sax.

Warners completed four of 12 features slated for 1939-'40 production at Teddington studios, which are now closed. A fifth picture was to go in work when the war started. The studio had scheduled "Disraeli" as an important film for American as well as English release, but all plans are indefinite.

Sax, who was Warners' shorts producer at the Vitaphone studio in Brooklyn, took charge at Teddington five months ago. He will confer with Jack L. Warner, production chief, in Hollywood or New York. Sax said that individuals are permitted to take out of England only £25 ($100) and a limited amount of dollars.

Film shipments from America have been normal, he said, and there is no lack of product.

Goetz said that London night life has virtually ceased because of the blackouts and fear of air raids and that conditions are too uncertain to predict the future of the film business in England.

Goetz will discuss the situation here with Nicholas M. Schenck, president of M-G-M, and with Louis B. Mayer on the coast. A decision is to be made on "Busman's Honeymoon," which was scheduled for London production with Robert Montgomery and Maureen O'Sullivan, who returned recently.

Miss Oberon will fulfill a one-picture commitment with Samuel Goldwyn and plans to return to England immediately thereafter.

Alexander Korda will remain in England and expects to produce in the service of the Government, although his exact duties have not been defined, Miss Oberon reported. The Denham studio, where Korda produces, has been placed at the Government's disposal for the duration of the war.

Korda has made "The Lion Has Wings," a picture of the Royal Air Force, as the first of a series of patriotic films for British circulation. Miss Oberon and Ralph Richardson are featured.

Miss Oberon related that work on "Over the Moon," which she made for Korda, was completed under trying circumstances that included air raid warnings and the mobilization of workers. This is the third completed Korda film for this season, the others being "Four Feathers" and "Thief of Bagdad," which is due in New York late in November.

Levy, whose organization supervises Walt Disney affairs and Kay Kamen enterprises in Britain, said that removal of film company headquarters and exchanges to the suburbs caused great operating hardships. Some of the companies have returned to their London offices, although film is required to be stored outside of the city.

"Conditions under which the distributors must function are inconceivably bad," he said. "Various regulations have added to the general chaos. Lack of telephone facilities between the suburban offices and their accounts and restricted motor transportation because of fuel rationing have made operations difficult. Film selling is very ragged. But everyone is making the best of it and trying to push things along."

There were joyous reunions at the Holland-American Line pier in Hoboken as friends and relatives greeted the returning film folk. Mrs. Lubitsch was welcomed by her husband, Sari Maritza and Anatole Litvak. Mrs. Lubitsch told of sighting two submarines during the voyage. The 10-month-old daughter of the Lubitsches, now safely in Hollywood, was the youngest survivor of the *Athenia*, which was sunk by a German torpedo.

Goetz, Sax and Levy were accompanied by their wives. Others on the boat were William P. Lipscomb, Tom Geraghty and Guy W. Bolton, film writers; Louis Borell, Netherlands actor featured in Korda's "Over the Moon"; Sara Allgood and Viola Keats, British film players; Mr. and Mrs. Fred Stansfield, parents of Gracie Fields, 20th Century-Fox British actress, and Marvin Hays Goetz, son of Mr. and Mrs. Ben Goetz.

Purely Personal

ROBERT T. KANE, head of Twentieth Century-Fox production in England, left on the Clipper Saturday for England.

•

O. C. DOERING, JR., of counsel to the RKO trustee, is back at his desk following a recent illness and rest.

•

RAY BOLGER left for the Coast yesterday by American Airlines.

•

PHIL WILLIAMS, of the March of Time publicity staff, was married yesterday to MARIE SCHWAB of New York City. They left immediately after the ceremony for a honeymoon trip through New England.

•

JANE WITHERS will start a three-month vacation with a personal appearance at the Boston Food Show Oct. 14 to 21. She will stop in New York for a visit to the World's Fair enroute to Boston.

•

BING CROSBY, while vacationing here recently, collaborated with the ANDREWS SISTERS and JOE VENUTI on a Decca recording of "Ciri-Biri-Bin," which LOU DIAMOND, head of Paramount Music Corp., predicts will sell over the 200,000 mark.

•

LUIS ENRIQUE PEREZ, Republic distributor in Venezuela, left Saturday on the *Santa Rosa* after a month's stay in New York.

•

NAT WACHSBERGER, general manager of Film Allance of the U. S., and NORMAN ELSON and NAT SANDERS are visiting key cities in connection with new releases.

•

WILLIAM F. RODGERS, general sales manager of M-G-M arrives today from Cleveland.

•

HELEN TWELVETREES makes her debut on television tomorrow at 8:30 P.M. over W2XBS in "The Butter and Egg Man."

•

GEORGE KALLMAN, RKO manager in Chile, is in town on a combined business and pleasure trip. He will return in about two weeks.

CARL LESERMAN, Warners assistant general sales manager, left Friday night for the company's branch office in Los Angeles on a business trip.

•

JAMES EARNHARDT of the Taylor Theatre, North Carolina, and MRS. EARNHARDT were New York visitors on Friday.

•

LOUIS LIPSTONE, Paramount studio musical director, has been in Chicago visiting his mother and other relatives.

•

Back at their desks in New York are L. W. CONROW, Altec president, from a trip through Midwest and Southwest; Vice-President and General Manager, G. L. CARRINGTON, from the Coast; and Staff Representative STANLEY HAND from the Southwest and South.

•

JOHN A. SCHWAIM, manager of the Rialto, Northio unit, at Hamilton, O., is recovering from an attack of ptomaine poisoning.

•

RAY C. HICKMAN of New Philadelphia, Ohio district supervisor for Shea theatres is in a hospital at Newark, O., with a possible fractured hip received in an automobile crash near here.

•

CRESSON E. SMITH, RKO western and southern sales manager, left New York Friday for a tour of southern exchanges.

•

HELEN NUGENT, contralto, has joined the staff of WKRC, Cincinnati. BOB NASH has been appointed sports announcer.

•

CHRISTOPHER MORLEY and JOHN T. FLYNN will be the guest stars on "Information, Please" Oct. 10 at 8:30 P.M. over NBC-Blue.

•

DON FRANCISCO, president of the Lord & Thomas advertising agency, will discuss "Advertising—An Essential Element of Democracy" in Boston tomorrow. CBS will carry the talk at 1:30 P.M.

•

ARTHUR GODFREY, WJSV "Sun Dial" operator, was in New York over the weekend to record 10 one-minute commercials for Richfield Gas.

•

JEROME CHODOROV and JOSEPH FIELDS have sold an original story, "Saints in Uniform," to M-G-M.

•

RUDY VALLEE, who wound up eight years with his own radio program last week, returns to the air as guest of WALTER O'KEEFE'S "Tuesday Night Party" over CBS tomorrow at 8:30.

•

ALFRED HARDING, editor of *Equity*, official organ of Actors Equity, returned Friday after a two-week vacation.

Theatre Firms Formed

ALBANY, Oct. 1.—The following new theatre companies have been chartered here: Kent-Johnson, Inc., New York, by Alan Bradley Kent, Austen Groom-Johnson and Abraham Males; Motion Picture Specialties, Inc., by Samuel R. Horowitz, George Gabriel and Ruth Cash, and Sisters Theatre Corp., by Peter A. Lewis, Josephine Langfelder and Florence Abramson.

Autre Joins Colors

Word has been received that Pierre Autre, Paris correspondent of Quigley Publications, has been called to the colors. Autre is a citizen of France. He has been enlisted in the Geographical section of the Army and has been assigned to a barracks somewhere in France.

Latin America Shif Decided by Republic

Republic has named Paul M. Wir as divisional sales manager for Central America to succeed Harry Davis, who will move to South America to open two new branches there.

Wir, now in New York, has been a resident of Panama for the last 12 years. Until recently, he represented United Artists in that territory, and before that, he was connected with 20th Century-Fox.

Wir sails Wednesday on the *Quirigua* and expects to arrive at Colon, Panama, his future headquarters, about Oct. 15.

Harry Davis, who has covered Central America for Republic for the last three years, leaves his present post at the end of October to open a main office at Santiago, Chile, with a branch at Valparaiso.

Major Circuits Sign New Warner Deals

Exhibitor favor of Warner Bros. recently announced merchandising plan has manifested itself in a huge spurt in company sales, which have reached a new high, according to Gradwell L. Sears, general sales manager.

Practically all of the major circuits have closed with Warners for its complete line-up of 1939-40 product, plus Vitaphone shorts and trailers, stated Sears. Additional major deals closed since the adoption by the company of its new distribution plan include the following:

Dubinsky Circuit, Kansas; Commonwealth Circuit, Kansas; Minnesota Amusement Co.; Interstate Circuit, Boston; Graphic Circuit, Boston; Philadelphia Chakeres Circuit; Hildinger Circuit; Kincey Circuit, North and South Carolina; Jefferson Amusement Co., Texas, and Great States Circuit, Illinois.

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(*Registered U. S. Patent Office*)

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Short Subject Reviews

"March of Time, No. 2"
(RKO)

"March of Time" scores another direct hit with an up-to-the-second presentation of "The Battle Fleets of England." With the front pages almost invariably carrying news of the British ships, interest in them is universal and at a high pitch. Even without public attention focused on naval affairs, the reel would be an outstanding contribution in its clarity and pictorial effectiveness. Coming as it does at a crucial time, this reel deserves featured playing time.

After explaining the uses and necessity of a battle fleet to England, the reel shows wartime production methods, the training of those who man the vessels, and battle scenes. To many to whom the distinctions between destroyers, cruisers and battleships are a mystery, the reel will come as a welcome bit of enlightenment. Running time, 18 mins.

"Oily to Bed, Oily to Rise"
(Columbia)

Sheer slapstick in this short which features the Three Stooges. The trio discover an oil well on the property of a friendly widow. Unaware of the oil, the widow had sold the property to three swindlers. The Stooges save the day after a run-in with the swindlers, and are awarded with the widow's three beautiful daughters. Running time, 18 mins.

"Crop Chasers"
(Columbia)

This is a novel cartoon. The farmer spurns the crows' offer of "protection" and immediately the birds go to work on the crops. The farmer hires two scarecrows to remedy the situation and that they do by rescuing a baby crow from a well and befriending the racketeers. Filmed in color. Running time, 7 mins.

"Dreams on Ice"
(Columbia)

A Color Rhapsody, this cartoon differs from the usual run in that its color structure is seemingly accentuated rather than story structure. A youngster floods his room with water, hoping that it will freeze, and upon falling asleep dreams that it does, with toyland characters skating on it. An above average short. Running time, 7 mins.

"The Story of Elias Howe"
(Columbia)

This is a story of the poverty stricken husband and wife of the 19th Century whose contribution to the world was the sewing machine. It tells of the struggles and hardships suffered by Howe and his wife, Elizabeth. Howe ultimately realizes success after years of struggle, during which Elizabeth dies. Richard Fiske and Lucille Brown enact the featured roles effectively. Educational value suggests school tieups. Running time, 11 mins.

Hollywood Review

"Marshal of Mesa City"
(RKO-Radio)

HOLLYWOOD, Oct. 1.—A good western entertainment recipe was followed in producing "Marshal of Mesa City," first George O'Brien picture on RKO-Radio's 1939-40 program. With the full complement of solo and mass gun and fist battles, a stirring chase and plenty suspense, action is the main ingredient. But the story, based on an original screen play by Jack Lait, Jr., has a soundly interesting romantic love interest counterpart and the value of comedy has not been ignored.

George O'Brien appears as a more virile hero than has been his lot in some recent pictures. The supporting cast, especially Virginia Vale, Henry Brandon and Leon Ames, will bring action-adventure fans and the kids, of course, plenty of thrills.

O'Brien, who specializes in returning law and order to outlaw-infested frontier towns, pauses in Mesa City to clean it up. Appointed a deputy, after the sheriff has been killed, he enlists the help of a professional bad man, Brandon. Together they concentrate their efforts on Ames and his mob. Meanwhile the romance involving O'Brien and a school teacher, Miss Vale, is logically woven in. Finally when all the fights and killings have run their course, O'Brien rallies the honest citizenry in a roaring gun-battle that annihilates the outlaws. Thereupon O'Brien and Miss Vale leave for a lifetime of happy marriage on his ranch.

The film is well written and acted. David Howard's direction endows the production with all the fire and fury, romance and fun that any average-minded patron could want.

Running time, 60 minutes. "G."* McC.

*"G" denotes general classification.

Mexico Considers Abolition Of Tax on Exported Money

(Continued from page 1)

hard cash to clinch, for Mexico. Among the principal pictures thus contracted are "Le Corsaire," featuring Charles Boyer, for which $6,000 was posted; Danielle Darrieux's "Batement de Coeur," worth $4,000, and Simone Simon's "Cavalgate de Amour," $2,500.

Mexican distributors, as a result of these experiences, are coming to think that American pictures are about the safest bets.

A Senate committee again has rejected the proposition for Mexico's ratification of the international North American radio pacts made at the Havana convention in December, 1937, on the ground that ratification of these treaties would be detrimental to Mexico's sovereignty and interests.

The measure now goes before Congress. But in view of the Senatorial committee's action it is not expected that the bill will prosper there. Congress last year refused the ratification, without explanation or comment.

Congress has been asked by the National Musicians' Union and the Conservatory of Music of Mexico to pass a law which will curb the use of phonographs and other musical apparatus in film houses and other places of public amusement. The petitioners assert that the canned music has deprived thousands of musicians of employment.

The local Municipal Government has started its annual strict checkup on the box-office of all film houses, work that continues until the end of the year, to gauge the amount of taxes the exhibitors shall pay during 1940. The Government takes October, November and December as key months to fix the rate of the impost for the ensuing year.

Chicago Radio Men Get Wage Increase

CHICAGO, Oct. 1.—Announcers, sound effects and production men who are members of the Chicago Federation of Musicians and employed by CBS at the studios here receive a 10 per cent increase in wages effective today. This is in accordance with a three years' contract under which a 10 per cent increase was to be granted at the start of the third year.

Jurisdiction over these employes is now being negotiated between the musicians and American Federation of Radio Artists which claims them.

Song Writers Win Royalties Increase

Contract signed last week by Song Writers Protective Association and Music Publishers Holding Corp., Warner publishing subsidiary, provides for an increase of minimum royalties for mechanical and foreign rights from 33⅓ per cent to 50.

Consent of the song writer is required before the publisher may license the use of the title of the song, permit a dramatic representation of it, or a visual-vocal rendition of the song in a film. No consent is needed for use of the song for background.

The contract also provides for royalty payments to be held in a trust fund, and reversion of rights to the writer in the event payments are not made.

'Rains' Gross Detroit's High; 'Women' Good

DETROIT, Oct. 1.—The Fox took $16,000 with a holdover screening of "The Rains Came" and the Louis-Pastor fight pictures.

The United Artists stepped over its average take with $13,000 with "The Women." The Michigan ran third with an average gross of $10,000 from "Lady of the Tropics" and "Our Leading Citizen."

Estimated takes for the week ending Sept. 28:

"All Quiet on the Western Front" (Univ.)
ADAMS—(1,700) (15c-40c) 7 days. Gross: $5,000. (Average, $5,000)
"Andy Hardy Gets Spring Fever" (M-G-M)
"The Sun Never Sets" (20th-Fox)
FISHER—(2,800) (15c-40) 7 days. Gross: $4,400. (Average, $4,500)
"The Rains Came" (20th-Fox)
"Louis-Pastor Fight" (Indep.)
FOX—(5,000) (25c-55c) 7 days, 2nd week. Gross: $16,000. (Average, $12,000)
"Lady of the Tropics" (M-G-M)
"Our Leading Citizen" (Para.)
MICHIGAN—(4,000) (15c-65c) 7 days. Gross: $10,000. (Average, $10,000)
"Beau Geste" (Para.)
"Everybody's Hobby" (W. B.)
PALMS—(3,000) (15c-50c) 7 days. Gross: $5,000. (Average, $5,000)
"The Women" (M-G-M)
UNITED ARTISTS—(2,100) (15c-55c) 7 days. Gross: $13,000. (Average, $10,000)

Renew Ticket Code, Asks Equity Report

Recommendations that Actors Equity renew the ticket broker code with the League of New York Theatres for an additional year provided that provision for stricter enforcement is made was contained in a report of Alfred Harding who investigated the matter for Equity, it was revealed at the first quarterly meeting of Equity at the Hotel Astor Friday. The council will consider the matter tomorrow.

About 300 members were on hand to hear routine reports of committees and officers. Consideration was also given to the agency and personal representative problem. Frank Gillmore, president of Associated Actors and Artistes of America, told the meeting that the "one big union" plan was under consideration and that a definite plan could be expected. He explained, however, that there were too many details to be adjusted to permit an early report.

SMPE Convention To See Television

Special television demonstration has been arranged for delegates to the Society of Motion Picture Engineers to be held on the opening day, Oct. 16, of the Fall convention. The demonstration will take place at the RCA exhibit at the World's Fair and J. Almonte, director of the exhibit, will be in charge of the demonstration. Latest type RCA Photophone equipment also will be shown.

Official program will be ready later this week. Tentatively, the four-day meeting is scheduled to start with an address of welcome by Mayor F. H. LaGuardia, to be delivered at an informal luncheon at the Hotel Pennsylvania, convention headquarters. E. A. Williford, president, will preside at the convention sessions.

TODAY!

Special M-G-M Flash!

"THUNDER AFLOAT" climbed into the Big Hit class. (Typical reports are Flint and Bay City, Michigan, a few dollars less than "Boys Town" and Kalamazoo which beat "Boys Town.") Theatres are stressing timely angle of submarine warfare and how the U-boats are destroyed! Wallace Beery's role best since "Hell Divers" mixing comedy and thrills. Don't spare the big guns in promoting this show. It's profitable!

"THE WOMEN" hold-overs are mounting to a new extended run record. Promotion angles stress the big cast (*Norma Shearer, Joan Crawford, Rosalind Russell and 135 others*), the racy dialogue from the stage hit, the Technicolor Fall Fashion show. Extend the ad budget for this one. Best business in 35 weeks at Capitol, N. Y. (*except "Oz" personal appearances*).

"BABES IN ARMS" is doing "Boys Town" business in the 2nd week of its test engagement in Houston, Tex. This remarkable musical comedy (*Mickey Rooney, Judy Garland and cast of hundreds*) is unanimously rated by all trade press reviewers as unique in show business. M-G-M urges its customers to double ordinary booking time and to be prepared for further extended runs.

"DANCING CO-ED" continues to be the subject of discussion and forewarning! It is important for all showmen to screen it at once to see for themselves what a smash box-office attraction it is. Not since "Dancing Daughters" days has there been a "sleeper" of this type and it too will make a new star—Lana Turner. (*Also featured: Richard Carlson, Artie Shaw and Band*). A real opportunity for showmanship and profits!

"NINOTCHKA" (*don't pronounce it*—SEE IT!) Literally it's a shot-in-the-arm for the public! M-G-M is arranging screenings so that you can see for yourself what the famed Lubitsch touch has done for Garbo. She is a new person, laughing, loving, vivacious and flirtatious. (*Melvyn Douglas, Ina Claire in grand cast*). Lubitsch never made a more down-to-earth comedy, racy, romantic, uproarious, than this affair in Paris. The critics will rave! The public will roar! Get busy!

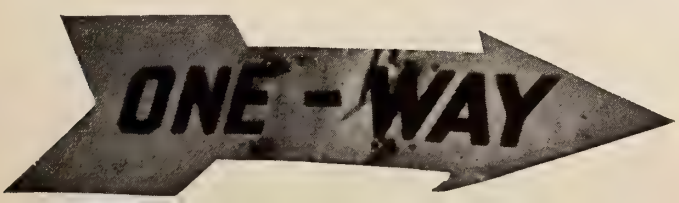
TODAY'S FUTURE HOT TIPS!

"REMEMBER?" (*Robert Taylor, Greer Garson, Lew Ayres*). It was sneak previewed and wowed the audience. A grand comedy. They'll be watching for Greer Garson after her work in "Goodbye Mr. Chips."

"NORTHWEST PASSAGE". Technicolor. (*Spencer Tracy, Robert Young, Walter Brennan*). Keep your fingers crossed! Here is one of the industry's greatest adventure thrillers. The studio previewed it in a theatre in rough-cut form. It's sensational.

"ANOTHER THIN MAN". (*William Powell, Myrna Loy and Asta*). It's shaping up into their best yet! Watch!

More in our next issue of TODAY!



M-G-M

'Rains Came' Leads Seattle With $8,700

SEATTLE, Oct. 1.—"The Rains Came" and "Hawaiian Nights" at the Fifth Avenue scored $8,700 to lead the box-office parade here. "The Old Maid" took $4,200 in the third week at the Roosevelt. The weather was fair and warmer.

Estimate takings for the week ending Sept. 29:

"The Rains Came" (20th-Fox)
"Hawaiian Nights" (Univ.)
FIFTH AVENUE—(2,500) (25c-40c-55c) 7 days, 2nd week. Gross: $8,700. (Average, $7,000)
"U Boat 29" (Col.)
"Konga" (Col.)
LIBERTY—(1,800) (25c-40c-55c) 7 days. Gross: $4,300. (Average, $5,000)
"Beau Geste" (Para.)
MUSIC BOX—(950) (25c-40c-55c) 7 days, 3rd week. Gross: $3,100. (Average, $4,000)
"Blackmail" (M-G-M)
"These Glamour Girls" (M-G-M)
ORPHEUM — (2,450) (25c-40c) 7 days. Gross: $5,800. (Average, $6,000)
"Not Wanted" (W. B.)
PALOMAR—(1,500) (15c-25c-40c) 7 days. Bell's Hawaiian Follies on stage. Gross: $4,900. (Average, $5,000)
"In Name Only" (Para.)
"Waterfront" (W. B.)
PARAMOUNT—(3,050) (25c-40c) 7 days, 2nd week. Gross: $5,400. (Average, $6,000)
"The Old Maid" (W. B.)
ROOSEVELT—(750) (25c-40c) 7 days, 3rd week. Gross: $4,200. (Average, $4,000)

Cincinnati Showmen Sign Union Contract

CINCINNATI, Oct. 1.—Under a new two-year agreement between Greater Cincinnati Independent Exhibitors, Inc., and operators' Local 327, operators will receive a $5 weekly increase during the first year, and an increase of the same amount during the second year of the pact.

The revised scale provides for seven evening performances, plus one Sunday matinee, a week, with extra pay equaling one-eighth of the weekly rate for each additional matinee. The aggregate increase figures practically the equivalent of 10 per cent per year. The agreement climaxed negotiations which have been under way since expiration of the previous contract on Sept. 1.

Set Kansas City Golf

KANSAS CITY, Oct. 1.—Variety Club will hold its annual golf tournament at the Ivanhoe Country Club on Oct. 2. William Warner and T. R. Thompson are in charge of the affair, which will start with golf and end with dinner, prizes and entertainment.

Million Visitors

Visitors from virtually every foreign country registered at the Loew-M-G-M World's Fair Booth on Times Square since its opening on June 28, totaled more than 1,000,000. The booth closes Oct. 31, simultaneous with the closing of the Fair. The majority of United States visitors came from Massachusetts, Pennsylvania and Ohio. England led the foreign country patronage, with France and Italy following.

Theatre, Personnel Notes

Fox Theatres in Colorado

DENVER, Oct. 1.—Fox has opened their new Fox theatre at Laramie, Wyo. The theatre seats 942 and is of terra cotta and glass brick in a modernistic design. Another house which they are adding in this area is a $60,000 house at Longmon, Colo. To be remodeled from an old building, using the two side walls and roof, the house will probably be ready for opening the last of November.

Handles Mexican Films

DENVER, Oct. 1.—The Coppel Amusement Co. now has the exclusive distribution of Mexican made films in the Denver and Salt Lake areas, having taken over the business of the Gayton Amusement Co. of Pueblo, Colo. Coppel is also handling First Division releases in the same territories.

Manages Denver's Granada

DENVER, Oct. 1.—Civic Theatres has appointed Lou Williams, formerly with the Fox theatres, as manager of the Granada theatre here in Denver. He replaces Charles Beishline who resigned to open an art shop.

Manager in Providence

PROVIDENCE, Oct. 1.—George E. French has returned as manager of the RKO-Albee here, a post he held in 1933-'34. Since his first period of service in Providence, French has been at the Keith Memorial and the RKO-Boston.

Plans S. C. House

ROCK HILL, S. C., Oct. 1.—Robert E. Bryant, owner of the Capitol here, has purchased a site on Oakland avenue and would build a new theatre to cost about $75,000 and seat 700.

New Australia Theatre

The new 1,500-seat Metro Theatre in Adelaide, Australia, will be opened October 6. It is a modern orchestra-balcony type house, and features the latest appointments, including air-conditioning.

Managing Ohio House

YOUNGSTOWN, O., Oct. 1.—William C. Gillam, assistant to Jack Haynes as manager of the Paramount here, has been named manager of the Union in Philadelphia. The house seats 1,200.

Takes Ohio Theatre

YOUNGSTOWN, O., Oct. 1.—F. H. Hathaway has acquired the Community, in Canfield, dark all Summer, and reopened it. Acquisition gives Hathaway four theatres in the greater Youngstown area.

Handles Akron Theatre

AKRON, O., Oct. 1.—Tom Long, who for the past four years has been publicity director of the Palace, Youngstown, O., has been named manager of the Palace here, succeeding Henry Sommers, who recently resigned.

Warners Renews Lease

CHARLOTTE, N. C., Oct. 1.—Warners exchange here has renewed its lease on the building here for 10 years and is planning extensive improvements.

Opens in West Virginia

BELLAIRE, O., Oct. 1.—A new neighborhood theatre has been opened at nearby Benwood, W. Va., by Roy Green, who will personally manage the house. Newest in sound and furnishings, including new seats, has been installed. The house will maintain a subsequent run policy.

Open Australian House

The new Metro, 1,500-seat theatre in Adelaide, Australia, will open Oct. 6. The house, orchestra and balcony type, is equipped with air conditioning, three projectors, special devices for color and lighting effects, and other modern improvements.

N. S. S. Transfers Smith

DALLAS, Oct. 1.—Leo Smith, former office manager for National Screen Service here, has taken over the southern Texas territory, with headquarters in San Antonio. Victor Maxwell has taken the office manager's post here.

Dembow's Duties Taken by Arthur

(*Continued from page 1*)

take a short vacation before making a decision.

Fanchon & Marco, besides production and agency representation business, operates nearly 50 theatres in St. Louis, one each in Los Angeles, San Francisco and Springfield, Mass., and has a half interest in a three-theatre pool with Loew's in Worcester, Mass. In addition, it operates the Roxy on Broadway for 20th Century-Fox.

When Dembow affiliated with Fanchon & Marco, after many years as a major circuit executive, he took over film buying and general supervision of the theatres, with Arthur handling operations of the St. Louis and eastern theatres, and both deciding policies between them.

Venezuela Circuit Operators in N. Y.

Judith Alvarado and Gustavo Murrillo, who operate a circuit of open air theatres in the interior of Venezuela, are in New York en route to Hollywood for a visit.

Miss Alvarado, who is reputed to be Venezuela's only woman exhibitor, says that action films, and particularly serials, are in great demand in that country.

French as well as Mexican and Argentine films are increasing in favor with patrons, she says, and at some theatres in the small towns one day a week is devoted to French pictures.

Rites for Gentner

KANSAS CITY, Oct. 1.—Funeral services were held here yesterday for Herbert W. Genter, 47, M-G-M office manager here, who died Thursday. He was with the company 11 years, starting as cashier at the New York exchange. He was transferred to Pittsburgh in 1929, remaining there until January, this year, when he was shifted to Kansas City. He is survived by his wife.

UA Producers Push Pictures On Wide Scale

HOLLYWOOD, Oct. 1.—While Selznick International will suspend production temporarily with the completion of "Rebecca," other United Artists producers plan to continue with expanded programs.

Roach is now finishing "Of Mice and Men" and will positively make "1,000,000 B. C.," two other features and three Laurel and Hardy featurettes.

Richard Rowland Productions will start shooting "Three Chums for Miss Bishop," starring Barbara Stanwyck, beginning Jan. 3.

Edward Small will begin "My Son, My Son" on Nov. 1, and put "Kit Carson, Avenger," into production as fast as the story can be completed. Both pictures will be in the work at the same time. Meanwhile Sam is working on story details and the casting of two additional productions which will be completed by Feb. 1.

Simultaneously Samuel Goldwyn will launch the most intensive season of his career with the possibility that he may have nine pictures for 1939-'40 release. "Raffles" is nearing completion. Within the next month he will start "The Fleet's In" with Jon Hall starred.

Goldwyn is now negotiating with Columbia for Jean Arthur for "City Without Men." "Seventh Cavalry" will follow with Gary Cooper in the leading role.

Reopenings Loom In London's Center

LONDON, Oct. 1.—The British Home Office on Friday agreed to a closer definition of the West End area of London, with respect to the reopening and operation of theatres therein.

Six larger houses on the fringe of the West End area will be permitted to remain open until 10 P. M., effective immediately.

Decision on houses located in the immediate center of London has been postponed, probably until Monday, pending consideration of the appeal of London legitimate theatres. It is believed that the decision will be satisfactory to the theatres, especially as it will affect newsreel theatres and smaller houses.

WOR Gets Permit For a New Station

F.C.C. approval to construct a frequency-modulated broadcasting station has been received by WOR, J. R. Poppele, chief engineer, disclosed over the weekend. The new station, W2XW1, will operate with 1,000 watts on a high frequency channel of 43.3 megacycles. Site for the station will be selected within the next few weeks.

The frequency-modulation system, developed by Major Edward Armstrong, is reported to be able to overcome static and noisy reception, to improve tone fidelity, and to eliminate inter-station interference and service coverage. Special transmitting and receiving equipment is required.

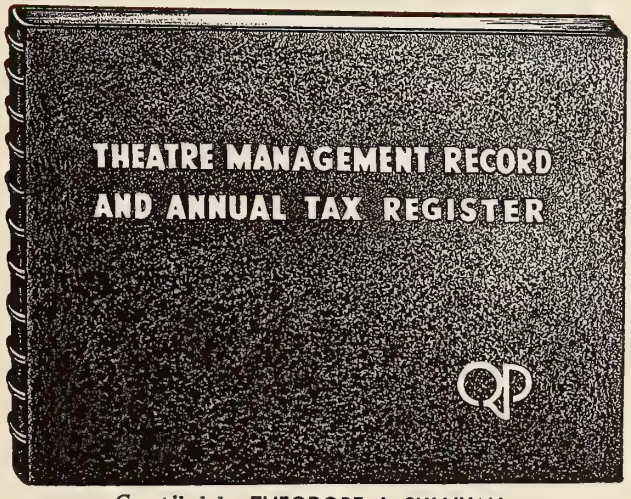
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Philadelphia Golf Winners Named

PHILADELPHIA, Oct. 1.—The annual golf tournament and dinner dance sponsored by the *Exhibitor* and Tent No. 13 of the Variety Club was held Friday at the Lulu Temple Country Club. It was one of the most successful affairs of its kind ever held.

Eighty golfers participated in the tournament, while these were joined by their wives and non-playing members to make a dinner-dance attendance of about 250.

There was an exhibition match between Leo Diegel and Sam Byrd, and Joe Kirkwood and Ed Dudley, followed by an exhibition of trick shooting by Kirkwood as an additional feature.

Milton Rogasner was chairman of the committee in charge.

Winners of the tournament in the various divisions follow:

First low net—E. M. Hartley, National Theatres; second low net—Harry Ball, Philadelphia exhibitor; third low net—E. O. Wilske, Altec; fourth low net—Donald Seasholtz, Chambersburg, Pa.; first low gross—Edward Dunn, Pennsylvania censor board; second low gross—James Pratt, Warner Theatres, Washington; driving contest, James Pratt; Driving contest runnerup—Harry Ball; Worst golfer—Fred Kogod, Washington exhibitor; Ladies' lucky number prize—Mrs. Sidney Samuelson, Margo Merrill and Mrs. Sam Stiefel.

Class "A" (General Competition):

Affiliated Theatres Trophy—George Schwartz, Universal; American Seating Company Trophy—J. J. McFadden, RKO; Automatic Devices Company Trophy—Joe Grant, Warners; Berlo Vending Company Trophy—Sam Lefko, RKO; Armand Carroll Trophy—Sam Shapiro, Philadelphia exhibitor; Eastman Kodak Trophy—Walter Yost, Harrisburg exhibitor; Four Star Sound Trophy—Harry Weiner, Columbia; Horlacher Delivery Service Trophy—E. W. Aaron, M-G-M; Kroehler Chair Trophy—(Geo.) Lessy, Philadelphia; W. H. Lee Trophy—Jesse Douglas, Philadelphia; Monogram Pictures Trophy—John Turner, Warners; George Schaefer Trophy—Dave Moliver, Philadelphia; Major Albert Warner Trophy—Lou Segall, Philadelphia.

Class "B" (General Competition):

Adler Sign Letter Co. Trophy—Joe Schaeffer; Capital Film Exchange Trophy—A. J. Rademacher, Altec; Columbia Pictures—Jack Cohn Trophy—Bill Doyle; Globe Ticket Co. Trophy—Lou Formato, Warners; Heywood Wakefield Trophy—Ed. Gabriel; Jules Levy Trophy—Lester Krieger, Warners; National Penn-National Kline Trophy—Ted Schlanger; National Screen Service Trophy—Larry Daily; Paramount Decorating Trophy—J. Solis-Cohen; Ross Federal Service Trophy—Max Korr, Allentown; Joe E. Sapsis Haberdashery Trophy No. 1—Miles Jones; Universal Pictures Trophy—Bill Clark; Wilmer & Vincent Theatres Trophy—Dave Milgram.

Class "C" (General Competition):

Alexander Film Trophy—Bill Mansell, Warners; Altec Service Trophy—Earle Sweigert, Paramount; Ben Amsterdam Trophy—Sam Schwartz, Warners; Ascap Trophy—Paul Greenhalgh; Ned Depinet Trophy—Robert Foliard, Warners; William C. Hunt Trophy—Walter Woodward; March of Time Trophy—Sidney Samuelson, Allied; National Theatre Supply Trophy—Oscar Neufeld; New Jersey Messenger Trophy—Frank Hammerman; RCA Photophone Trophy—Al Davis; Harry Thomas Trophy—Charles Zagrans, RKO; Varbalow Theatres Trophy—Charles Segall, Philadelphia exhibitor; Young's Health Institute Trophy—"Doc" Schad, Reading, Pa., exhibitor.

Non-Player Class:

Louis Appel Trophy—Phil Harrison, Philadelphia; Joseph Bernhard Trophy—Ben Amsterdam, New Jersey exhibitor; William Greenfield Trophy—Max Gillis, Republic; International Projector Trophy—Harry Cotton; Bob Lynch Trophy—Al Fischer, Glenside, Pa.; Armando T. Ricci Trophy—Wally Howes, Trans-Lux; Joseph E. Sapsis Trophy—Jack Seidman; David Supowitz Trophy—Al Blofson; Paul Terry-Toons Trophy—Karl Keatch, American Seating Co.; United Artists Corp. Trophy—Dave Brodsky.

Mrs. DeRosselli Dies

WASHINGTON, Oct. 1.—Mrs. Edna Ambler DeRosselli, 41, of the M-G-M exchange here, is dead of a heart attack following an operation.

New York Review

"Eternally Yours"

(Walter Wanger-United Artists)

Quality entertainment is the substance of "Eternally Yours," a comedy drama with a heart, acted to the hilt by David Niven and Loretta Young, with the most accomplished assistance of Hugh Herbert, Billie Burke, C. Aubrey Smith, Broderick Crawford, Raymond Walburn and Zasu Pitts, not to mention a host of lesser lights.

Gene Towne and Graham Baker jointly prepared the original screenplay in their sophisticated and accomplished manner. The fine hand of Tay Garnett, who directed, made of the finished product a suave and satisfactory item of salable entertainment.

Throughout, the film bears the unmistakable stamp of quality, technically, in its direction and most certainly, in its performances. Niven, as the somewhat vanity-stricken, utterly sincere and extremely likeable Great Arturo, magician and showman; Miss Young, as the bishop's granddaughter who throws over a safe and sane marriage for the dashing exponent of legerdemain; Herbert, as the magician's loyal servant; Smith, as the bishop; Crawford, as the "safe and sane"; Miss Burke, as the crafty aunt, are alike eminently satisfactory.

Imparting that certain subtle thing called "finish" to his performance, Niven, who has come forward so handily in the last few starts, bids fair to keep the feminine contingent of the film-going public in an almost constant state of palpitation. In a word, he has what it takes, and at the same time is a swell actor for any man's money, which is for the exhibitor to bear in mind.

Skillful music has been woven into the piece by Werner Janssen, a young man of no little reputation.

Miss Young, married to Niven, is led a frightening life because of his risks in a specialty—jumping from a plane handcuffed, releasing his hands and landing safely. Her life, too, is a discouraging whirl because of his blindness to her desire to settle down in a little house in the country.

But when she walks out on him, he abandons his career, pursues her despite a divorce, and her marriage to Crawford. As he risks his life at the New York World's Fair in another of his daring leaps, she realizes where her destiny lies, as does Crawford, and Niven and Miss Young go to the country cottage, with their earlier divorce proved worthless.

Running time, 95 minutes. "G."* CHARLES S. AARONSON

*"G" denotes general classification.

Murray and Binder Assigned by Scully

F. T. Murray was named manager of branch operations, and O. C. Binder manager of exchange maintenance for Universal by William A. Scully, general sales manager, over the weekend. Increased exchange activity and a program of exchange building modernization necessitated the division of responsibilities for operation and maintenance, Scully said.

Six district sales managers were in town over the week end for conferences with Scully to consider domestic problems which have arisen as a result of war conditions. Those attending were A. J. O'Keefe, Los Angeles; E. T. Gomersall, Chicago; Pete Dana, Kansas City; H. D. Graham, Atlanta; Dave Miller, Cleveland; A. J. Herman, New York. Home office sales executives also attended.

Disney and RKO Sued

Vincent I. Whitman has brought suit against Walt Disney Productions, Technicolor and RKO for alleged patent infringement, involving a composite system of motion picture photography, whereby a portion of a still background scene pictorially recorded, is photographed in superimposed relation on visual actions which occur in the foreground. "Snow White and the Seven Dwarfs" and the forthcoming "Pinocchio" are involved. An injunction against both films and treble damages are sought.

Attack on Neely Bill Due at AFL Parley

(Continued from page 1)

tion picture industry will be cut in half, thus directly affecting the employment of some 282,000 persons who are employed in the production, distribution and exhibition divisions of the industry.

"According to evidence given before the Senate Committee on Interstate Commerce, there are 276 crafts employed in the industry and many thousands of these workers will lose continuity of employment or be made entirely idle," it will be explained.

"All unions whose members are employed in the industry appealed to the Senate to defeat the bill and President Green wrote a strong letter to the leader of the majority in which he pointed out the injury that would be done to the workers in the industry by creating extensive unemployment. The bill was passed by a vote of 46 to 28."

14-Reel Color Film

Twentieth Century-Fox's "Drums Along the Mohawk," film version of Walter D. Edmonds' best selling novel, will be in 14 reels of color.

Rooney as Young Edison

HOLLYWOOD, Oct. 1.—Metro-Goldwyn-Mayer will solo star Mickey Rooney in "Young Thomas Edison" with John Considine producing and Norman Taurog directing.

WNYC Will Carry Ascap's Festival

Network snub of the Ascap music festival which started yesterday and continues through Saturday was followed by an official request by Mayor F. H. LaGuardia that WNYC, the municipal station, carry the program. WNYC, however, may not broadcast after sundown under F.C.C. rules, and thus could not carry the actual program. The problem was solved, however, when WNYC undertook to record the series and air the music during the afternoons.

Radio Actors Elect 21 as New Directors

Election of 21 members of the board of directors of American Federation of Radio Artists' New York local was announced over the weekend.

Directors are elected in three groups, actors, announcers and singers. Those named were Bill Adams, Mark Smith, Betty Garde, Lucille Wall, Ray Collins, Teddy Bergman, Eric Dressler, Ned Wever and Ted DeCorsia, from the actors. Ben Grauer, Ken Roberts, Dan Seymour, Tom Shirley and George Ansbro were the announcers selected. Singers named were Walter Preston, Phil Duey, Everett Clark, Alex McKee, Evelyn MacGregor, Gordon Cross and Frank Croxton. The board will serve for one year.

Nat Fellman Heads U. S. Warner Clubs

Nat Fellman on Saturday was elected president of the National Warner Clubs at the annual election of Warner employees, held at the home office.

Other officers are: W. V. Brooks, vice-president in charge of membership; Frank Gates, vice-president in charge of claims; Harry Mayer, vice-president in charge of entertainment; Ruth Weisberg, vice-president in charge of welfare; Robert Salomons, treasurer; Sam Wolowitz, assistant treasurer; Stuart Aarons, secretary; Sam Schneider, chairman of finance committee.

Ned Depinet Signs New RKO Contract

(Continued from page 1)

dent of the distributing company. When it and several other affiliated companies were combined with RKO Radio Pictures, Inc., two years ago, Depinet became vice-president in charge of distribution.

In March, 1938, a national tribute inaugurated by exhibitors was paid Depinet to commemorate his 30th anniversary in the industry, the testimonial taking the form of a dinner in Dallas, where his film selling career was begun.

N. J. Allied Drive

New Jersey Allied has resumed its membership campaign, with Charles Robinson handling the work as field representative. The unit will meet today at its offices in the Sardi Building, with Lee Newbury presiding.

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VOL. 46. NO. 65 NEW YORK, TUESDAY, OCTOBER 3, 1939 TEN CENTS

Cohen Gives Views on N.Y. Allied 'Split'

Scores National Unit For Membership 'Raid'

Max A. Cohen, who, at first refused to comment on the situation, yesterday issued a written statement setting forth his views in regard to the present controversy involving the New York Allied unit.

"Recent events," stated Cohen, "which included a meeting in Buffalo and one in New York City, point definitely to an attempt on the part of National Allied to raid the membership of New York State.

"E. Thornton Kelly is no longer connected with New York Allied, nor is he authorized to call any meeting directly or indirectly where New York Allied is concerned."

This was in reference to the meeting which has been called for Syracuse today.

"New York Allied suddenly has become the immediate concern of National Allied," the Cohen statement goes on, "and we wonder whether the work of New York Allied has been so great and progressive that the national organiaztion fears that New York Allied overshadows in national importance."

Cohen, himself, will call a meeting of the New York State unit in

(*Continued on page 2*)

New Rules Adopted For Public Seating

WASHINGTON, Oct. 2.—New trade practice rules for the public seating industry were made public today by the Federal Trade Commission, to become effective tomorrow.

Covering false advertising, deceptive selling methods and certain other unfair trade practices, the new code is a revision and extension of rules adopted in 1931, and represents the results of a public hearing held Aug. 17 on the subject.

Resume Ascap Case

TACOMA, Wash., Oct. 2.—Hearing on the Ascap case attacking the constitutionality of Washington's music copyright law affecting composers' royalty collections will be resumed in federal court following agreement on the appointment of Archie E. Blair as special master. The case, heard before three judges last year, was dismissed but the Supreme Court reversed it and remanded it for a hearing on its merits.

RKO Doubts Delay On Reorganization Despite War Crisis

Belief that the RKO reorganization will not be unduly delayed because of the European situation was voiced yesterday by reorganization principals.

The expectation is, it was said, that while a new underwriting agreement may be proposed by Atlas Corp., which may prove to be less favorable than the original offer which expired in late August, there is every reason to believe that a new offer will be forthcoming promptly.

Only in the event that any such new offer is not acceptable to the company will the completion of the reorganization be seriously affected, it was said.

The new underwriting offer will have to be submitted to the RKO board of directors as well as to the Federal court. It is believed that the terms will reflect the loss of European revenue encountered since the first offer was made and the possibility of that circumstance continuing, but that the changes in terms will not be vital. If these beliefs are borne out the reorganization should be completed by approximately the same time that had been anticipated prior to the outbreak of war.

U. S. Asks Injunction In Schine Trust Suit

BUFFALO, Oct. 2.—The Department of Justice motion for a preliminary injunction in the suit against Schine Theatrical Enterprises, Inc., was heard today before Federal Judge John Knight. Decision was reserved.

The suit, filed under the anti-trust laws, seeks dissolution of the Schine circuit which the government claims is a monopoly in the area in which it operates.

The government motion asks that the Schine exhibitor defendants be restrained from acquiring any further theatres, or from opening any they own which are closed, pending determination of the suit. No preliminary relief is asked against the major distributors who have been named as defendants.

Protest to NLRB On Studio Election

HOLLYWOOD, Oct. 2.—Howard Robertson, president of the United Studio Technicians Guild, and other members of the Guild filed a National Labor Board petition today, charging the election which established I. A. T. S. E. as the studio bargaining agency is invalid because producers allegedly financed I.A.T.S.E.

BRITISHERS BATTLE TO SAVE QUOTA ACT

New Wages, Hours Effective on Oct. 24

Changes in the wages and hours law, which go into ef- Oct. 24 under provisions of the original bill, provide for a maximum work week of 42 hours with 30 cents per hour as minimum wage. The present scale provides for 44 hours maximum with 25 cents minimum wage.

The 30-cent scale will remain in effect until Oct. 24, 1945, unless raised before then by administration order, and will become 40 cents after that date. The maximum work week will remain at 42 hours for one year and then will be further reduced to 40 hours.

Alleged Jap Station Captured in Mexico

MEXICO CITY, Oct. 2.—Federal agents claim to have crippled a widespread Japanese espionage service, allegedly operating throughout Mexico and a large part of the United States, with the capture of a clandestine shortwave radio station on a ranch near Jojutla, in Morelos State, near here.

The station's operator, Tamukara Kasaki, described as suave and bespectacled, was arrested by Federal agents. He asserted he knew nothing about it. The agents declared the capture of the station is the first of several pirate propaganda stations which they expect to close in various parts of this country.

2 Exhibitor Leaders In Wisconsin Dead

MILWAUKEE, Oct. 2.—E. F. Maertz, 56, president of the I.T.P.A. of Wisconsin, died here yesterday. Former operator of the Comfort Theatre, he has operated the Zenith for the past 12 years. He is survived by his wife, two daughters and a son. Funeral services will be held tomorrow.

Louis Plate, 78, retired exhibitor and for a number of years vice-president of the M.P.T.O. of Milwaukee, is dead here. Plate owned the Climax, neighborhood house for 30 years. He had been retired for the past 10 years. He is survived by his wife, three daughters, three sons, a brother and a sister.

Fear Foreign Producers Will Gain Monopoly Of English Screen

LONDON, Oct. 2.—British producers today launched a concerted campaign for retention of the British Films Act, with its quota provisions, and demanded an immediate statement of the Government's intentions.

Every member of Parliament has been circularized with a memorandum detailing developments and pleading the producers' viewpoint. The press, guests at a cocktail party this morning, the first in the trade since the war began, was urged to assist in the campaign for retention of the Quota Act.

George Smith, an independent producer, said Oliver Stanley, president of the Board of Trade, declared on Sept. 9 that the Government intended to suspend the quota, and alternatively was considering the limitation of film imports. However, Stanley is understood to have said at that time that he planned no drastic action without first consulting the industry.

Producers have expressed fear of a monopoly of the British screen by foreign producers, with obvious reference to American companies, with the cessation of production and the shutting of British studios.

There are indications that the trade here would reconsider its opposition if Stanley were to offer such an alternative proposal as limitation of imports. Industry labor representatives, of course, are supporting the producers.

Indications were that producers

(*Continued on page 2*)

No Industry Cases In Supreme Court

WASHINGTON, Oct. 2.—Meeting today for the opening of the 1939-40 term, the U. S. Supreme Court began consideration of a docket of about 430 cases, with none, however, involving motion picture companies.

Several cases concern taxes of film and stage artists. While no industry cases are now pending, it is expected that several will be filed during the term as lower courts render decisions.

The docket includes decisions of the Federal Communications Commission, probably the most important being the appeal of the Crosley Company from an F.C.C. order revoking the 500-kilowatt experimental license of station WLW.

Cohen Gives Views on N.Y. Allied 'Split'

(*Continued from page* 1)

the near future. Cohen claims the support of the regional vice-president and other officers. One of these, Rapley Merriman, Syracuse regional vice-president, has advised Cohen that he will not attend today's meeting and that he would advise members not to attend, according to Cohen.

New York Allied was expelled from membership in National Allied following the state unit's recent annual convention. Chiefly, the action was due to differences with national officers over the proposed industry code.

Kelly on Saturday said that he had been authorized by directors of the New York City unit of the state organization to call a statewide membership meeting in Syracuse. Kelly also issued a call to independent exhibitors to form a new unit today in Syracuse which would be affiliated with National Allied. Kelly yesterday said that these two meetings will be merged.

Mestanza Honored

H. Alban Mestanza, editor of *Teatro al Dia,* has been elected a director of the newly-created Ecuadorean-American Chamber of Commerce in the United States. He will act in an honorary capacity as editorial consultant for *Ecuador,* monthly publication in English issued under auspices of the Chamber.

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SHORTEST, FASTEST COAST-TO-COAST

Purely Personal

H. M. RICHEY, director of exhibitor relations for RKO, is attending the Michigan Allied convention in Kalamazoo and is due back Thursday via Indianapolis.

•

Robert T. Kane, 20th Century-Fox British production executive, who left here on the *Yankee Clipper* Saturday, will not arrive in Europe until tomorrow. Bad weather grounded the *Clipper* at New Brunswick Saturday night, delaying its arrival at Foynes, Ireland, three days.

•

Leonard Goldenson and Leon Netter of the Paramount home office theatre department will return to Atlanta in about two weeks for further discussions of a new operating agreement with Arthur Lucas and William K. Jenkins.

•

Ralph Nelson, Paramount business manager, has left the Coast for a week's vacation in the East. He will join his wife, Virginia Van Upp, Paramount writer, at Charlottesville, Va.

•

Four Paramount players—Susan Hayward, Olympe Bradna, Patricia Morison and J. Carroll Naish—left Hollywood yesterday for personal appearances in the Midwest.

•

Myron Blank has joined his father, A. H. Blank, in New York and G. Ralph Branton, general manager of the Blank circuit, has returned to Des Moines.

•

Zorina, star of "On Your Toes," will be the guest artist on the Radie Harris broadcast today over WOR at 7:30 P. M.

•

Mary Martin, Paramount player, arrived by plane from the Coast Sunday and immediately joined a show troupe here.

•

Nola Luxford, commentator on "Four Star News," has been elected vice-president and treasurer of the New Zealand Club of New York.

•

Erich Pommer, producer, arrived in Hollywood yesterday from New York for conferences with Charles Laughton.

•

Bruce Cabot arrived from Europe yesterday on the Swedish-American liner *Gripsholm.*

•

George Walsh, Paramount up-State theatre operator, is at the home office for one of his periodic visits.

•

Jules Rubens of Great States Theatres is in New York for Paramount home office conferences.

•

Anatole Litvak leaves for the Coast in two weeks.

•

Helen Mourad, secretary to Walter Reade, is vacationing.

For Lunch, Dinner or Supper
LaHIFF'S TAVERN
The Industry's
MEETING and EATING PLACE
156 W. 48th St. Tel. CHickering 4-4200

Barney Balaban, John Hicks, Russell Holman, George Weltner, Maurice Bergman, Sam Shain, Tom Connors, E. K. O'Shea, Max A. Cohen, William Rodgers, A. H. Blank, A. P. Waxman and Jerome Kern at Nick's Hunting Room in the Astor for lunch yesterday.

•

George B. West, who, accompanied by W. Ray Johnston, president of Monogram, to the Coast, has returned, after a stop in Chicago to attend the wedding of Mary E. Williamson to Dr. A. J. Brown of Mobile, Ala.

•

An eight-pound son, Jon Napier Crouch, was born late yesterday afternoon to William Crouch, Chicago correspondent for *Motion Picture Daily* and the *Herald,* and Mrs. Crouch.

•

John H. Harris, national chief barker of all Variety Clubs, and James G. Balmer are visiting Atlanta and Memphis to install new Variety tents.

•

Herman Bernie, formerly eastern manager for the Myron Selznick agency, has opened his own management office, as Herman Bernie, Inc.

•

M. A. Levy, 20th Century-Fox Kent Drive leader, has returned to Minneapolis for several weeks before making another tour of branches.

•

Dechantel Smith of the Paramount exchange, New Haven, will take an auto trip west on her vacation soon.

•

Sam Rosen of the Strand, Winsted, Conn., and Stuart, Lakeville, Conn., is hunting moose in the Maine backwoods.

•

Jack L. Warner, Warner vice-president in charge of production, is in town.

•

Sol Sachs, RKO Southwest district manager at Dallas, is in town on a film deal.

•

Catherine Costello, cashier of the College, New Haven, is ill with pneumonia.

Legion Approves Twelve New Films

National Legion of Decency has approved all 12 new films reviewed and classified for the current week, six for general patronage and six for adults. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Arizona Kid," "Chip of the Flying 'U'," "The Kansas Terrors," "No Place to Go," "Outpost of the Mounties," "Seventeen." Class A-2, Unobjectional for Adults—"Betrayal" (French), "Dancing C-Ed," "Here I Am a Stranger," "En Kivinnas Ansikte" (Swedish), "The Private Lives of Elizabeth and Essex," "Rio."

Miss Bergman Assigned

Hollywood, Oct. 2.—David O. Selznick has assigned Ingrid Bergman, Swedish actress who is appearing in "Intermezzo, a Love Story," her American screen debut, to the leading role in "The Swan," Ferenc Molnar play.

British Trade Fights To Keep Its Quota Act

(*Continued from page* 1)

would base their specific demands on the Government on Stanley's intentions. Several producers at today's cocktail party referred to the abandonment of British production plans by American distributors and the use of the war clause to cancel contracts.

Among the industry leaders present were Capt. Richard Norton, Michael Balcon, Gabriel Pascal, Maurice Ostrer and others. Conspicuously absent was John Maxwell, head of Associated British Pictures and one of the most important figures in the British industry.

M-G-M and RKO Shift London Productions Here

British production activity will depend entirely on whether or not the quota regulations are suspended for the duration of the war.

At the moment, none of the foreign department heads expect this to occur but they do think the exhibitor quota will be suspended, even though the distributors' is not. They expect to have to make quota pictures to the extent that facilities available in England will permit.

Only M-G-M and RKO have so far decided to make large budget films in Hollywood which were originally scheduled for production in London.

M-G-M next Monday will start "The Earl of Chicago" with Robert Montgomery. Victor Saville, British director, will produce. The company has completed removal of its English production staff to America.

Herbert Wilcox, who produces for RKO, will make a film in Hollywood based on the life of Marie Lloyd, British music hall star. Anna Neagle will be featured. This had been scheduled for London production.

Alliance Deal Closed

The Alliance subject, "The Warning," three-reel English film, will be shown in 50 Warner houses in the Philadelphia area. International Pictures Distributing is handling the film in the Philadelphia and Washington territories.

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(*Registered U. S. Patent Office*)

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is the star who broke fifty million hearts in "Bachelor Mother" and "Real Glory"...and now finds his perfect screen sweetheart as LORETTA YOUNG becomes his gay partner in love?





Answer: David Niven, 1939's most sensational new star name, will help make 1939's most sensational business **ETERNALLY YOURS.**



Dear Arturo—
You showed me a dazzling world but denied me a home. Loved me—dearly—but played tricks after hours. You're tops as a Magician—but zero as a husband. I'm through—though I'll be —
Eternally Yours—Anita

Anita Dearest—
I know I've hurt you—But if you leave me now my life will be as empty as a hat—and all the magic in the world can't pull happiness out of it.
Eternally Yours—Arturo



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Eternally Yours

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LORETTA YOUNG • DAVID NIVEN

with HUGH HERBERT • BILLIE BURKE • C AUBREY SMITH
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Directed by TAY GARNETT • **RELEASED THRU UNITED ARTISTS**

46 New Films Now in Work In Hollywood

HOLLYWOOD, Oct. 2.—Forty-six pictures were before the cameras this week, as eight finished and seven started. Seventeen were being prepared and 75 were in the cutting rooms.

Started were: "Street of Missing Women," Columbia; "Nick Carter," M-G-M; "Gun Chores," Paramount; "Legion of the Lawless," RKO; "Little Old New York," 20th Century-Fox; "The Fighting 69th," "Brother Rat and the Baby," Warners.

In addition to these, shootings were: "The Incredible Mr. Williams," "Blondie Brings Up Baby," "His Girl Friday," Columbia; "Raffles," Goldwyn; "Northwest Passage," "Broadway Melody of 1940," "The Runaway," "The Secret of Dr. Kildare," "Judge Hardy and Son," "A Call on the President," M-G-M; "Typhoon," "The Gay Days of Victor Herbert," "The Farmer's Daughter," Paramount; "Escape to Paradise," Principal; "The Hunchback of Notre Dame," "Vigil in the Night," "Abe Lincoln in Illinois," "That's Right, You're Wrong," RKO; "Washington Cowboy," "Zorro's Fighting Legion," "Covered Trailer," Republic; "Of Mice and Men," Roach; "Rebecca," Selznick; "Swanee River," "20,000 Men a Year," "Daytime Wife," "The Blue Bird," "The City," "The Man Who Wouldn't Talk," "The Adventurer," "Everything Happens at Night," 20th Century-Fox; "First Love," "Tower of London," "Green Hell," "The Green Hornet," "Destry Rides Again," "Test Driver," Universal; "Send Another Coffin," Wanger; "Invisible Stripes," Warners.

Finished were: "Heroes in Blue," Monogram; "Women Behind Bars," Paramount; "Reno," RKO; "Abraham Lincoln Boggs," "Jeepers Creepers," Republic; "Little Accident," Universal; "The Enemy Within," "Four Wives," Warners.

Columbia and Warners each started a short subject. M-G-M finished one.

Critics at 'Harvest' Opening Luncheon

Andre Heymann, president, French Cinema Center, was host to about 50 persons at a luncheon yesterday at the Champlain restaurant on West 49th St. in connection with the opening last night of the company's first release, "Harvest," at the World Theatre.

Most of those attending were film critics. There were also Arthur Garfield Hays, counsel for the American Civil Liberties Union, and his associate, Richard Green; Mrs. Elmer Rice, wife of the playwright; Gilbert Josephson, operator of the World, and Herman Weinberg, S. Ernest Pelson, Charles Jahrblum and Heymann of French Cinema Center.

Hays, who as counsel for the Union offered his services in fighting the state censors' ban of the film, said that the Board of Regents' reversal of the censors "is significant because the censors have been getting away with murder."

Contest Winner

Denver, Oct. 2.—Ben Achziger attended an auto drawing at the Cover Theatre in Fort Morgan, Col., and won the auto on a ticket owned by his girl friend, Esther Mills. Since the drawing was by number and not by name a question of equity arose, and they decided they needed legal aid. So they routed a judge out of bed and persuaded him to grant them a permit to purchase a marriage license.

Metro's Cincinnati Office Sales Leader

CINCINNATI, Oct. 2.—For the second consecutive fiscal year, ending Aug. 31, the local M-G-M office, in charge of Edwin M. Booth, led the 32 exchanges in the U.S. in sales, collections, efficiency and increase in the number of theatres booked. J. Milton Jacobs, Kentucky salesman, finished first, and John M. Allen, local city salesman, second, while all salesmen were among the first 10. Bookers also were well up on the list.

Local office will receive a Leo plaque, and the entire personnel of 44 will receive awards ranging from two week's additional pay to trips to the San Francisco Exposition. They also will be guests of the Pittsburgh branch at a Victory Dinner to be given later.

Hebert Completes Selznick Campaign

HOLLYWOOD, Oct. 2.—Don Roberts has been named publicity director of Selznick International Pictures by Russell Birdwell, who now handles the account on a retainer basis. Birdwell has realigned the entire department with Hebert leaving. Curtailment of the department budget occasioned the changes made.

On leaving Selznick International Hebert leaves an entire campaign completed in association with Howard Deitz of M-G-M on "Gone with the Wind," which has already been scheduled with magazines and newspapers and is about ready to break. The campaign was completed before Birdwell resumed his association with Selznick.

Hebert's future plans are not entirely set. He has several proposals under consideration and likely will accept one of those which will keep him in Hollywood.

Retsama, Standard In Five-Film Deal

HOLLYWOOD, Oct. 2.—Five features and 22 shorts, to be produced by Retsama Film Productions, will be released through Standard Pictures Corp. Geraldine Spreckels will star in the first two, "The Trail Blazers" and "Women of Destiny," Claire Windsor, Fred Keating, Helen Holden, Paul Frohman, Mary Carr, Joseph Swickard and Gene Patrick are cast for the first feature.

Leonard Dean Smith is Retsama vice-president in charge of production.

Named AGVA Secretary

Mrs. Dorothy Bryant, former executive secretary of Chorus Equity, has been appointed executive secretary of the American Guild of Variety Artists. The appointment was made by the board of directors of the A.G.V.A.

Notables to Attend Music Hall Opening

Notables in New York social, business and political circles have been invited to attend the opening of the Selznick International-United Artists film, "Intermezzo, a Love Story," at the Radio City Music Hall on Thursday.

Among those invited to attend the New York premiere are:

Hon. W. Bostrom, Minister of Sweden; Hon. W. Mumthe de Morgenstierne, Minister of Norway; Hon. Henrik Kauffmann, Minister of Denmark; Hon. Jh. J. Procope, Minister of Finland; Rolf A. Christensen, Norwegian Consul General; Georg Bech, Danish Consul General; P. O. Bahevuori, Finish Consul General; Count and Countess F. Bernadotte, Commissioner General for Sweden at the World's Fair.

Also Count and Countess H. Hamilton, Mr. and Mrs. Nils Melin, Mrs. Kerstin af Buran, Miss Karin Engberg, Mr. and Mrs. Tage Palm, Consul General and Mrs. M. Kastengren, Consul Claes Carbonnier, Consul and Mrs. M. Lindholm, Mr. Hilmer Lundbeck, Mr. and Mrs. Montley Morehead, Donna Elly Colonna, Mr. and Mrs. Thomas J. Watson, Mr. and Mrs. Winthrop Aldrich, Mr. and Mrs. Lawrence Tibbett, Dr. and Mrs. Goddard Leach, Mr. and Mrs. George Whitney, Mr. Preston Satterwhite, Mrs. Robert Bacon, Mr. George Bagby and Mr. Maurice Bagby.

Also, Hon. and Mrs. Fiorello H. LaGuardia, Mr. and Mrs. Arthur Hays Sulzberger, Mr. and Mrs. Ogden Reid, Capt. and Mrs. J. M. Patterson, Mr. and Mrs. George Backer, Jules Bache, Mr. and Mrs. Harvey D. Gibson, Paul Block, Mr. and Mrs. Gilbert Miller, Mr. and Mrs. Guthrie McClintic, Mr. and Mrs. Charles MacArthur, Mr. and Mrs. Dwight Deere Wiman, John Golden, Mr. and Mrs. David Sarnoff, Mrs. Vincent Astor, Mr. and Mrs. Herbert Bayward Swope, Mrs. Conde Nast, Mr. Mortimer Berkowitz, Frances MacFadden, Mr. and Mrs. Thomas E. Dewey, Roy Howard and Will H. Hays.

Also, Arturo Toscanini, Lotte Lehmann, Jan Kiepura, Lily Pons, Elisabeth Rethberg, Ezio Pinza, Frederick Schorr, Josef and Rosinna Lhevinne, Mr. and Mrs. Frank Chapman, Frank Black, Alfred Wallenstein and Andre Kostelanetz.

'Cavalcade' Openings

"Hollywood Cavalcade," 20th Century-Fox feature in color, will have six regional openings this week. Tonight it will have an $11 opening at the 4 Star in Los Angeles, proceeds to go to the Motion Picture Relief Fund. On Friday the film will open at the Palace, Cincinnati; Stanley, Philadelphia; Orpheum, Omaha, and Majestic, Houston. Trade showings were held yesterday and will be continued today.

'The Old Maid' Loop Leader With $43,000

CHICAGO, Oct. 2.—"The Old Maid" was the most attractive offering in the Loop, grossing $43,000 at the Chicago. "In Name Only" drew $20,800 at the Palace and "The Women" was a strong $19,000 at the United Artists in the second week. The weather was unsettled.

Estimated takings for the week ending Sept. 28-30:

"Beau Geste" (Para.)
APOLLO — (1,400) (25c-55c-75c) 7 days. Gross: $5,500. (Average, $6,000)
"The Old Maid" (W. B.)
CHICAGO — (4,000) (35c-55c-75c) 7 days. Stage: Evans Ballet. Gross: $43,000. (Average, $32,000)
"When Tomorrow Comes"
GARRICK — (900) (35c-40c-65c) 7 days. Gross: $5,100. (Average, $5,000)
"Good Girls Go To Paris" (Col.)
"Prison Gates" (Col.)
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $15,200. Average, $13,000)
"In Name Only" (RKO)
PALACE — (2,500) (35c-55c-75c) 7 days. Stage: Vaudeville Revue. Gross: $20,800. (Average, $18,000)
"Blackmail" (M-G-M)
ROOSEVELT—(1,300) (35c-55c-75c) 7 days, 2nd week. Gross: $7,900. (Average, $11,000)
"Frontier Marshal" (20th-Fox)
STATE-LAKE — (2,700) (25c-35c-40c) 7 days. Stage: Musical Revue. Gross: $15,400. (Average, $12,000)
"The Women" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 2nd week. Gross: $19,000. (Average, $14,000)

'Stage' Bankrupt

Stage Publishing Co., publisher of the magazine "Stage," filed a voluntary petition in bankruptcy in Federal District court here yesterday. No schedule of assets and liabilities was filed but the petition listed 176 creditors.

Retitle Irish Film

The title of "Blarney," new Irish-made feature starring Jimmy O'Dea, which has just arrived from Dublin and will be distributed in the U. S. by William Alexander, has been changed to "Ireland's Border Line." It will be opened at the Belmont on Oct. 12.



Weather Aids Loop Grosses, Hit by Legion

By WILLIAM F. CROUCH

CHICAGO, Oct. 2. — The American Legion's 21st annual convention is over and Chicagoans are trying to get back to normal. More than 250,000 visitors jammed the city to join in or see the convention activities. A spirit of Mardi Gras prevailed throughout the five days of the meeting.

Six years ago when the Legion was here theatremen found that business for that week was the poorest during the summer months. This year indications were that the same would happen. However, the weather man helped by sending out a cold blast that sent thousands to the theatres in the Loop for warmth and shelter, and grosses were much improved.

It is estimated that the Legion caused the expenditure of $12,000,000 while in Chicago and this "boom" to business is expected to be felt at the boxoffice in the weeks to come.

James Roosevelt, vice-president of Samuel Goldwyn Productions, will speak here Nov. 13. He will be one of the speakers presented this fall by the Lecture Forum of the Sinai Temple. "Motion Pictures—Entertainment or Propaganda?" will be his subject.

Warner theatres have made changes in the staffs of some of their theatres. Most important of these changes as announced by James A. Coston, zone manager, were: Marcel Brazee from the Avalon to the Parthenon in Hammond; Marlowe Conner from the Rhodes to the Avalon; Eric Ericson from the Ogden to the Rhodes; John Field to the Grove from the Ogden; John Maloney from the Cosmo to the Grove; Ray Kenny to the Cosmo. Assistant managers changed included: Truman Randall, George Gross, Edward Friedwald, Harry Corbett and James Fleming. Harry Mintz who has been manager of the Parthenon in Hammond resigned to go with the Butterfield circuit. He will be located in Saginaw, Mich.

James Luntzel, former Balaban & Katz press representative, is now publicity director for KDKA in Pittsburgh.

Local theatres will run trailers on fire prevention during the week of Oct. 8-14.

Alex Manta and Jack Rose of Indiana-Illinois Theatres held an all-day meeting here to start a Fall business drive. Managers and their wives attended a special showing of "Babes in Arms" followed by a luncheon at the Blackstone and a meeting afterwards. More than 60 attended the affair.

World Series Coverage

Films of the World Series baseball games will be handled as routine by the newsreels. Pictures of the first game tomorrow at Yankee Stadium will be included in the Thursday issues. It is possible that extra footage may be sent out on the windup next week.

New York Review

"Harvest"

(French Cinema Center)

Distributors of this Marcel Pagnol production describe it as "a tone poem in three movements." American audiences, taking their entertainment without pretension, probably will think it dull, but it may be attractive to the limited audiences who patronize art cinemas.

Slow in movement, this is a simple story of simple French peasants close to the soil. Arsule, who presumably has seen a better life as a singer, is a beast of burden for Gedemus, a knife grinder, who treats her with disdain. Panturle, a farmer in a deserted village, is stirred at the sight of her, and he takes her to his home. Paralleling their life together is the symbolism of the reawakening of nature, the sowing of the soil and the harvesting of crops. Gedemus willingly relinquishes Arsule to the farmer upon payment of the price of a donkey, but to Panturle she is the meaning of life itself.

The three central characters are well played by Fernandel as the knife grinder, Gabriel Gabrio as Panturle and Orane Demazis as the girl. Exteriors filmed in the French Alps, have eye appeal. The film will not be comprehensible to children.

Running time, 80 mins. "A.."* ALFRED FINESTONE

*"A" denotes adult classification.

Sidney Will Return To Loew Post Here

Louis K. Sidney, who has been an associate producer at the M-G-M studio, will return soon to assume an executive post at the Loew home office. He will remain in charge of radio.

Sidney went to the Coast two years ago to take charge of the M-G-M "Good News" radio show in conjunction with Maxwell House Coffee. At the expiration of the second season of the program, M-G-M decided to restrict its players on the air, and the tieup was dropped. Sidney then was appointed associate producer with "Ziegfeld Follies," a Mervyn LeRoy film, as an immediate assignment.

Sidney was managing director of WHN, Loew-owned radio station here. After he left for the Coast, Herbert L. Pettey was appointed managing director. It is not known whether Sidney will assume this post, but it was said that he will continue to direct all of the company's radio activities.

R. C. Clement Back After Odeon Talks

Roger C. Clement, Paramount home office attorney, is back in New York after having been stranded abroad for several weeks. He arrived here on the *Manhattan* last Saturday.

Clement went to England to advise on legal angles of the deal by which Paramount was to lease its 14 London theatres to the Odeon circuit. After the deal Clement went to the Continent for a vacation and during that time the war broke out, preventing consummation of the deal.

Radio Patent Pact

RCA and Farnsworth Television & Radio Corp. disclosed yesterday that they have entered into mutual patent license agreements under which each has the right to use the inventions of the other in the field of television and other phases of their businesses.

Wanger Signs Hitchcock

HOLLYWOOD, Oct. 2.—Walter Wanger today signed Alfred Hitchcock to direct "Personal History" by Vincent Sheehan after Hitchcock completes "Rebecca" for Selznick.

States Divided Over Thanksgiving Date

Thanksgiving Day will be observed throughout the nation on Nov. 23 in some states and on Nov. 30 in others due to the Proclamation issued by President Roosevelt advancing the original date one week.

While five states are as yet undecided, 21 will observe Nov. 23, 20 will observe Nov. 30, and two states, Tennessee and Texas, will observe both.

States and their respective Thanksgiving dates follow:

Nov. 23: California, Delaware, Georgia, Indiana, Louisiana, Maryland, Michigan, Mississippi, Montana, New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, South Carolina, Utah, Virginia, Washington, West Virginia and Wyoming.

Nov. 30: Alabama, Arkansas, Colorado, Connecticut, Florida, Idaho, Iowa, Kansas, Kentucky, Maine, Massachusetts, Minnesota, Nevada, New Hampshire, New Mexico, North Carolina, Oklahoma, Rhode Island, Vermont and Wisconsin.

Undecided: Illinois, Missouri, Nebraska, South Dakota and Arizona.

Museum Will Hold 2 Screenings Daily

Effective Oct. 8, the Museum of Modern Arts, in presenting its Cycle of Seventy Films, will hold two screenings daily, at 3 and 5:30 P. M. instead of the present single screening at 4 P. M. The change was instituted to afford business people an opportunity to attend.

Program for this week is as follows: Today, "The Love Parade"; Wednesday, "Little Caesar"; Thursday, "Anna Christie"; Friday, "March of Time, No. 2"; and "Cavalcade"; Saturday, "I Am a Fugitive from a Chain Gang."

Harry Cottrell Dies

SAN FRANCISCO, Oct. 2.—Harry Durfee Cottrell, 70, veteran actor and playwright, died at his home across the bay in Hayward. He once directed the Oliver Morosco Theatre here, and the Liberty in Oakland.

NBC, Mutual Air Ascap's Festival

After much bickering, arrangements have finally been made for network coverage of the Ascap music festival currently under way at Carnegie Hall. NBC will carry the program over the Blue network tomorrow night and over the Red Saturday afternoon. Mutual is also making arrangements to air the program Friday night, but plans have not been completed. CBS, as of yesterday, was still sitting pat.

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACTS OF CONGRESS OF AUGUST 24, 1912, AND MARCH 3, 1933

Of MOTION PICTURE DAILY, published Daily, except Saturdays, Sundays and Holidays, at New York, N. Y., for Oct. 1, 1938.

State of New York }
County of New York } ss.:

Before me, a Notary Public in and for the State and county aforesaid, personally appeared Theo. J. Sullivan, who, having been duly sworn according to law, deposes and says that he is the Business Manager of the MOTION PICTURE DAILY and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management (and if a daily paper, the circulation), etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, as amended by the Act of March 3, 1933, embodied in section 537, Postal Laws and Regulations, printed on the reverse of this form, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business managers are:

Publisher and Editor-in-Chief — Martin Quigley, 1270 Sixth Avenue, New York, N. Y.

Editor—Sam Shain, 1270 Sixth Avenue, New York, N. Y.

Managing Editor—None.

Business Manager—Theo. J. Sullivan, 1270 Sixth Avenue, New York, N. Y.

2. That the owner is: (If owned by a corporation, its name and address must be stated and also immediately thereunder the names and addresses of stockholders owning or holding one per cent or more of total amount of stock. If not owned by a corporation, the names and addresses of the individual owners must be given. If owned by a firm, company, or other unincorporated concern, its name and address, as well as those of each individual member, must be given.)

Quigley Publishing Company, Inc., 1270 Sixth Avenue, New York, N. Y.

Martin Quigley, 1270 Sixth Avenue, New York, N. Y.

Colvin Brown, 1270 Sixth Avenue, New York, N. Y.

Gertrude S. Quigley, 1270 Sixth Avenue, New York, N. Y.

3. That the known bondholders, mortgagees, and other security holders owning or holding 1 per cent or more of total amount of bonds, mortgages, or other securities are: (If there are none, so state.) None.

4. That the two paragraphs next above, giving the names of the owners, stockholders, and security holders, if any, contain not only the list of stockholders and security holders as they appear upon the books of the company but also, in cases where the stockholder or security holder appears upon the books of the company as trustee or in any other fiduciary relation, the name of the person or corporation for whom such trustee is acting, is given; also that the said two paragraphs contain statements embracing affiant's full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustees, hold stock and securities in a capacity other than that of a bona fide owner; and this affiant has no reason to believe that any other person, association, or corporation has any interest direct or indirect in the said stock, bonds, or other securities than as so stated by him.

5. That the average number of copies of each issue of this publication sold or distributed, through the mails or otherwise, to paid subscribers during the twelve months preceding the date shown above is 5,731. (This information is required from daily publications only.)

THEODORE J. SULLIVAN,
Business Manager.

Sworn to and subscribed before me this 28th day of September, 1939.

(SEAL)

ANNA MILBERT,
Notary Public N. Y. Co. No. 158 Reg. No. OM124
(My commission expires March 30, 1940.)

M.P.P.D.A. OF AMERICA,
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Indispensable to the Motion Picture Industry

ION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 66 NEW YORK, WEDNESDAY, OCTOBER 4, 1939 TEN CENTS

Fight Piracy Of Alien Films In S. America

French Pictures Suffer Most, Inquiry Shows

Piracy of foreign language films is spreading, particularly with regard to French films, in New York and in Latin American countries. Legitimate distributors of such products are actually compelled to compete with unauthorized distributors in South America.

Foreign producers are themselves partly to blame for this strange situation, according to inquiry. It is because, in disposing of the rights to their product to American representatives for distribution in Latin America, the transactions are made subject to prior sale. Thus a French picture may have several American representatives, each of whom com-

(*Continued on page 2*)

400 at Michigan's Allied Convention

KALAMAZOO, Mich., Oct. 3.—An old timers' party for men and women in the entertainment industry twenty-five years or longer climaxed the opening day's sessions of the 20th annual convention of the Allied Theatre Owners Association of Michigan here today.

Golf courses drew a heavy percentage of the registrants. And there were numerous sightseeing trips, luncheon parties, a visit to the Kellogg bird sanctuary, and boat rides on Gull Lake.

More golf is scheduled tomorrow morning, a brief business session in the afternoon, and the convention banquet in the evening.

About four hundred theatre owners and managers from all parts of the two peninsulas of Michigan are attending the convention.

Hummel Succeeds Morris at Warner

Joseph S. Hummel, Warner foreign department executive, has succeeded Sam E. Morris in charge of foreign distribution. This is exclusive of Europe, which continues under management of Robert E. Schless.

Morris, who has been vice-president in charge of foreign activities, has retired because of illness. Hummel for 15 years was assistant to Morris.

Senior UA Chiefs Take Salary Cuts; Lay-Offs Doubted

Certain senior executives of United Artists have voluntarily taken cuts in salary. Every effort is being made not to affect the earnings of the employes generally.

This was revealed in a letter sent by Maurice Silverstone, operating head of United Artists, to department heads and exchange supervisors. In this letter, Silverstone appeals to employes to "pitch into the task of avoiding pay cuts and lay-offs."

It is the purpose of the company, under his direction, to put its domestic sales on a basis which will provide complete return of negative costs without dependence on foreign revenue.

If the effort succeeds and conditions abroad do not become worse, the company can expect to avoid the necessity of "laying off a single employe" or of putting salary cuts into effect.

In his letter Silverstone points out the foreign financial factors which have created the existing emergency. He reminds the sales force that their effects are particularly serious in the case of United Artists. This is due to the fact, he said, that a very large proportion of United Artists' income has been from world markets, whereas the American distributing company has operated at a loss for many years, with the deficits having been made up out of foreign income.

The objective of recovering the full cost of a picture in the domestic market is essential to an uninterrupted supply of pictures from United Artists' producers.

Syracuse Parley 'Routine'; Cohen Brands It 'Fiasco'

Syracuse, Oct. 3.—Meeting of independent exhibitors at the Syracuse Hotel here today failed to result in the organization of a new Allied unit, for which purpose the meeting was called by E. Thornton Kelly, former official of Allied Theatre Owners of New York. There was a small attendance.

Kelly said the meeting was a routine one and that he is calling a statewide meeting to be held here Oct. 17.

"The meeting was a fiasco as expected," said Max Cohen, New York Allied president, in New York.

B. & K. Agreement With UA Looming

The possibility of an agreement being reached on a new season product deal between Balaban & Katz and United Artists was indicated with the arrival here yesterday of John Balaban, head of the Chicago circuit, who will discuss a deal for the United Artists lineup while in New York.

B. & K. recently concluded a deal for Samuel Goldwyn's three new season releases. The discussions here will concern the balance of the United Artists product.

Balaban, who is accompanied by

(*Continued on page 12*)

"Hollywood Cavalcade"

[Twentieth Century-Fox]

"Hollywood Cavalcade," with no pretensions at authenticity although much of it is reminiscent of the record, is an all-around swell show. Darryl F. Zanuck's production staff has packed terrific audience appeal in sequences that are in turn hilarious, dramatic, tender and moving. Dyed-in-the-wool fans will find in it much to rave about. It is the type of show for which showmen can pull all the stops in doing a selling job.

Those who have been following the fortunes of the industry for some years will feel a glow of recognition in names, situations, incidents and scenes which are part of the industry's history, before and back of the camera. For every type of audience there is a bitter-sweet romance and an intelligent insight into the business of making motion pictures.

Don Ameche and Alice Faye do remarkably well in the pivotal roles of Michael Linnett Connors and Molly Adair. Connors is a brilliant but erratic director who discovers her on Broadway, takes her to Hollywood and builds her by degrees to the peak of cinema fame. This

(*Continued on page 12*)

Britain May Revoke Quota Of Exhibitors

Retaining of Distributor Quota Called Possible

LONDON, Oct. 3.—The first coherent indication of the intention of the British Government relative to the Films Act, with its quota provisions, came today when in the House of Lords, Lord Templemore, spokesman for the Board of Trade, said the Government is considering abolition of the exhibitors' quota but retention of the distributors' quota.

Lord Templemore declared that it was unjustified to expect exhibitors to accept the requisite proportion of British films as required by the exhibitor quota, in view of the local restrictions on the opening of theatres, the danger of bombings and other factors stemming from the war emergency.

Lord Templemore said the matter is under urgent Government consideration and promised a statement shortly. Lord Strabolgi raised the question of challenging the Government to declare its policy, and criticized the Ministry of Information for duplicating the work of the Board of Trade. He also criticized the Government for its policy of preventing the distribution of appropriate propaganda newsreels.

It was pointed out in certain informed quarters that the abolition of the exhibitors' quota while retaining the distributor quota would result in a peculiar situation. The distributor would be compelled to distribute a certain percentage of pictures produced in England, while, on the other hand, the exhibitor would not be required to use any British pictures. Thus, conceivably, the distributor

(*Continued on page 2*)

Quebec's Child Ban Lifted for Theatre

MONTREAL, Oct. 3.—For the first time in a decade, children under 16 are being admitted this week to Loew's here if accompanied by their parents.

The provinicial ruling which has kept youngsters out of theatres for more than 11 years has been dropped for one week during the showing of "Wizard of Oz."

A promise to relax the law was made last year when "Snow White" was shown here, but at the last minute

(*Continued on page 2*)

Britain May Revoke Quota Of Exhibitors

(Continued from page 1)

would be faced with a situation where he might be faced with a completely absent market for English films he is compelled to handle.

American interests here are, of course, desirous of having the distributors' quota eliminated, since filling the requirement would work a serious hardship on them. It was pointed out that the quota law requires that English quota films be produced with a certain percentage of English personnel. Since the war and mobilization have seriously depleted the industry's production personnel, it is pointed out that it will be extremely difficult to make pictures in England which will conform with the personnel stipulations of the quota law.

Although the suggestion of Lord Templemore today was considered highly indicative of the Government intentions, the industry here is still fighting the situation. The British industry is pleading for retention of the quotas to avoid what they expect may be the possible collapse of the British film industry if the quotas are suspended indefinitely.

Quebec's Child Ban Lifted for Theatre

(Continued from page 1)

provincial authorities backed down.

This week's relaxation of the law is expected to boost Loew's take to an all-time high of $16,000. The precedent may also pave the way for future abrogations or possibly complete removal of the ban upon child attendance at theatres.

"Oz" is expected to be held over at Loew's for four weeks. When it hits second runs about Christmas time theatres undoubtedly will ask for similar treatment by provincial authorities.

Theatre Ads on Air

Weekly film attractions at the Golden Gate Theatre, San Francisco, first-run downtown house, will be advertised over KPO. The deal is for one year.

FLY
American
TO
LOS ANGELES
OVERNIGHT
Via American's Southern Sunshine Route
GIANT FLAGSHIP SKYSLEEPERS
AT 5:10 P. M. AND 10:10 P. M.
DAYLIGHT FLIGHT AT 7:10 A. M.
For reservations call your Travel Agent or HAvemeyer 6-5000. Ticket offices 45 Vanderbilt Ave. and Rockefeller Center at 18 W. 49th Street.
AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHIPS

Purely Personal

JAMES R. GRAINGER, president of Republic Pictures, left via plane last night for Atlanta, Ga., and Jacksonville, Fla., on circuit business. He returns the end of the week.

•

JOHN BALABAN, JOHN HICKS, GEORGE WELTNER, SAM SHAIN, RUSSELL HOLMAN, BUDDY DE SYLVA, TOM CONNORS, CHARLES E. MCCARTHY, WILLIAM SUSSMAN, MORRIS LEONARD, LOUIS SHUR and SIDNEY PHILLIPS lunching at Nick's Hunting Room in the Astor yesterday.

•

NATE BLUMBERG, ABE MONTAGUE, JACK COHN, WILLIAM A. SCULLY, JAMES MULVEY, HARRY BUCKLEY, ARTHUR LEE, HENRY SPITZER, ARTHUR MAYER, DWIGHT WIMAN, RODNEY BUSH and SAM CITRIN at BOB GOLDSTEIN'S Tavern for lunch yesterday.

•

JACK HANEY, news editor of Movietone News, is due for a return engagement on CBS "People's Platform" program, on which he appeared Saturday night.

•

ARTHUR WILLI, head of the RKO talent department, has left for Chicago on a scouting tour.

•

JOE E. BROWN will arrive in New York from the Coast this morning for a brief vacation.

•

IRVING BRECHER, scenarist, arrived in New York from the Coast yesterday.

•

STAN BARR, manager of the Colonial, Norfolk, Va., is in New York on his annual visit.

•

DAVE FINEMAN of the Regent, Pittsburgh, is in town.

•

MERVYN LEROY, M-G-M producer, is in town with MRS. LEROY.

Hearing Upon Para's Assessment Protest

N. Y. Supreme Court Justice Aaron J. Levy yesterday issued two writs directed to the Tax Commission of the City of New York on the petition of Paramount Pictures, Inc., for the reduction of assessments on properties owned by it in New York City. The writs fixed Nov. 6 as the date for hearing on the applications. Paramount is seeking a reduction of $20,000 on its film laboratory at 544 W. 43rd St., assessed for the coming year at $165,000, and a $30,000 reduction on its film exchange at 331 W. 44th St., assessed at $220,000. A previous application to the Commission was denied, the petition stated.

Al Schuman Heads Connecticut's Allied

NEW HAVEN, Conn., Oct. 3.—Al Schuman has been elected president of the Allied Theatres of Connecticut. Other officers are Charles Repass, first vice-president; Joseph Reed, second vice-president; Barney Calechman, treasurer; Lawrence C. Caplan, executive secretary; Dr. J. B. Fishman, chairman of the board of directors; Maurice Shulman, public relations representative. Ten members of the directors' board will be announced at a meeting to be held in the near future.

JOSEPH A. MCCONVILLE, Columbia foreign chief, plans to leave for South America in about a week.

•

EDWARD C. RAFTERY, United Artists secretary and counsel, is en route to Hollywood to join MURRAY SILVERSTONE, the company's chief executive, there in conferences with United Artists producers. RAFTERY will be away about three weeks.

•

JAMES O'NEILL and HARRY J. LANE, who retired Sept. 1 after 20 and 17 years, respectively, of service as Actors Equity representatives, will be tendered a testimonial dinner at the Hotel Woodstock on Oct. 15.

•

FRED STORM, publicity representative for SAMUEL GOLDWYN, who has made his headquarters on the Coast for the past few months, will arrive in New York today and will remain at the home office indefinitely.

•

IRIS BARRY, curator of the Museum of Modern Art Film Library, will judge the "Hollywood History" costume ball at the Ambassador Hotel Oct. 19.

•

PAUL MALVERN, Monogram producer, is on an extended trip through Mexico, combining business and a vacation.

•

WILLIAM E. TRUOG, JR., son of the manager of the United Artists exchange in Kansas City, was married recently to VIRGINIA SYLVESTER.

•

MARY PHALEN, box-office statistician for the Shea Circuit in Buffalo, is on a motor tour.

•

At Dinty Moore's for dinner were MRS. LEO SPITZ and MR. and MRS. HERMAN L. WOBBER.

•

WILLIAM J. KUPPER, 20th Century-Fox western division manager, is in Denver on a film deal.

•

JACK KUHN, Movietone News aviation editor, has returned from shooting air films around the country.

•

GARY COOPER, ending his holiday in the East, leaves for Hollywood today.

New York MPTOA To Hear Kuykendall

Ed Kuykendall, M.P.T.O.A. president, is scheduled to address a membership meeting of the M.P.T.O. of Western New York which will be held in Buffalo next Monday. A. C. Hayman, president, will preside.

Kuykendall is due here Oct. 18 to address the S.M.P.E. convention at the Pennsylvania Hotel.

Jake Miller Retires

NEW ORLEANS, Oct. 3.—Jake Miller, a figure in the local entertainment world for the past 30 years, retired today upon the sale of the Lafayette Theatre to Merrie Shows, Inc., of which Charles V. Levy is president.

Charter Capra Firm

HOLLYWOOD, Oct. 3.—Articles of incorporation substantiating the recent announcement of the formation by Frank Capra and Robert Riskin of Frank Capra Productions were filed at Sacramento yesterday.

Fight Piracy Of Alien Films In S. America

(Continued from page 1)

petes with the others in negotiating a South American deal.

It has been revealed that out of this has grown a network of piracy wherein prints are surreptitiously duped in certain southern territories and by devious means transported to South America to certain individuals for showing down there. Thus frequently there may be several prints of one picture circulating in some Latin American cities where only one was legitimately authorized.

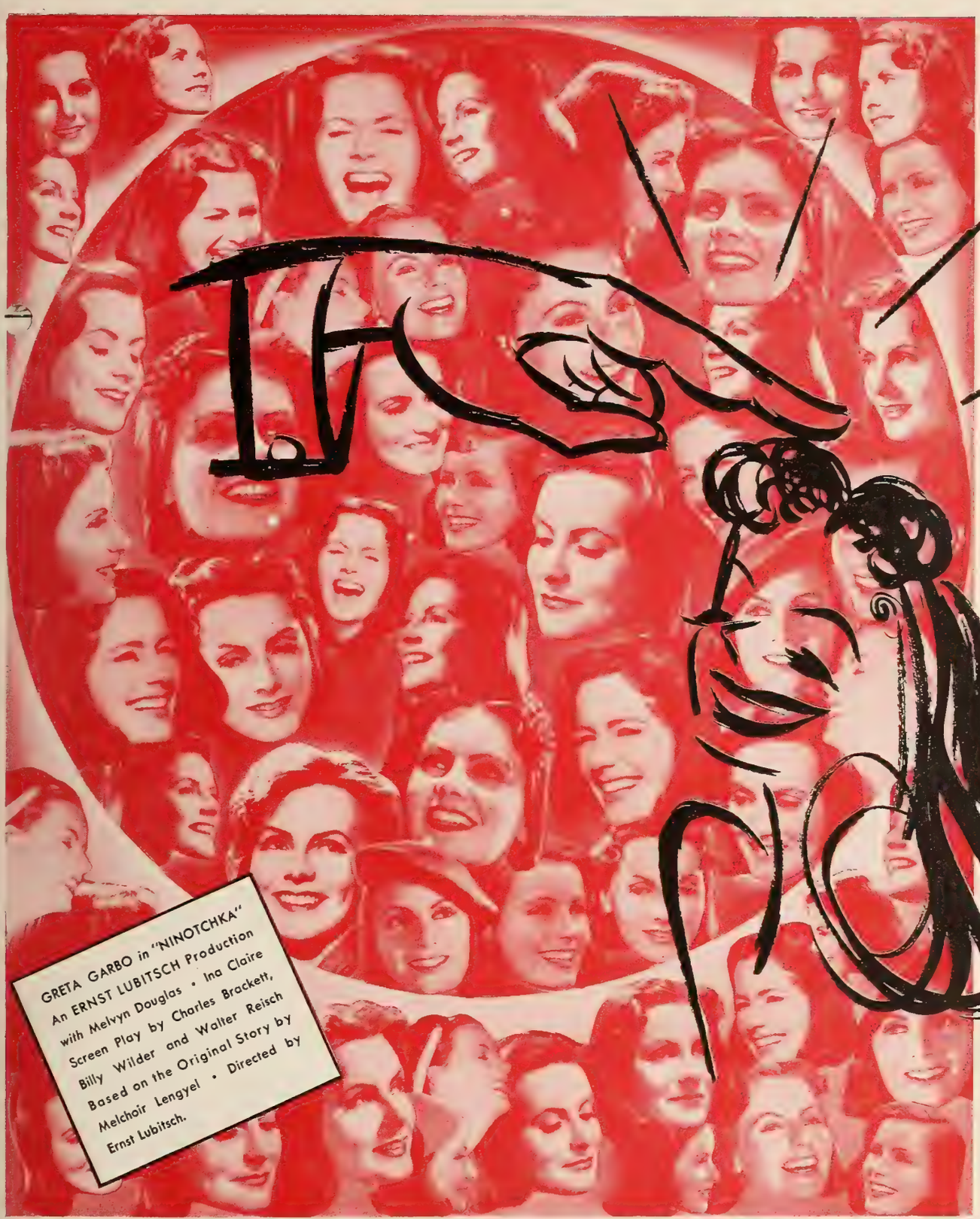
It has happened that a Yiddish picture, "Uncle Moses," was sold in Argentina this Summer, three months before Robert Mintz, who has charge of distribution, had affected a sale in that territory.

One way in which this is accomplished is to send the stolen print to a fictitious name in a Latin American country. When the print is not called for at the customs it eventually is auctioned for the import duties. A South American conspirator is on the watch for such auctions and buys up the print when it is put up at auction. In this way he also gets the picture cheaper than he might otherwise.

A Venezuelan distributor who is presently in New York recently bought the rights to an Argentine picture. Because the print sent to him was defective he returned it to the seller, but the seller was unable to deliver a better print. Investigation proved that the New York seller of the rights to the Argentine picture had bought it from an unauthorized dealer in the southwest and therefore was unable to get a second print. The Venezuelan was out $1,000.

Another distributor from Chile bought the Latin American rights to two French pictures. He retained the Chilean rights for himself and instructed his New York representative to sell other Latin American rights. This representative, in attempting to dispose of the picture, discovered that three other individuals had prints of the productions and also were peddling them in Latin America.

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Garbo gets the Lubitsch touch!

SEE IT and you'll shout from the house tops!

Garbo flirts—Garbo dances—Garbo drinks—Garbo howls—Garbo romances—Garbo kisses—Garbo hits the Paris hot spots, laughing, loving in the saucy, racy Lubitsch comedy of Paris in the wonderful days when a siren was a brunette and if a Frenchman turned out the light it was not on account of an air raid. Start telling your patrons now and don't stop!

M-G-M TRADE SHOWS NOW!

ASK YOUR BRANCH!

"NINOTCHKA" — don't pronounce it — SEE IT!

New Theatres In Pittsburgh Trading Area

PITTSBURGH, Oct. 3.—Two new theatres have been opened in western Pennsylvania and four more will be opened in the Tri-State area during the next six weeks.

Although the effect of munitions and steel orders has not yet been felt at box-offices because a few mill pays have been distributed since the heavy goods boom began a couple of weeks ago, exhibitors believe an increase should be apparent soon.

Ticket prices will remain the same, at least for some time to come, theatre owners promise, except at the downtown Stanley, where the return of stage shows will boost the admission to the former scale of 25 cents until noon, 35 cents until 6 P.M., and 60 cents until closing except on Saturdays, when the night price will be 66 cents.

New theatres opened were the new Warner in Titusville, a 1,000-seat house, and the Palace in Tarentum, taken over several weeks ago by Warners and then temporarily closed for remodeling.

Under construction are new theatres in suburban West View, and in Clarksburg, W. Va., where the Robinson-Grand is expected to open early in November. Also Pittsburgh, at a cost in excess of $100,000, is the Arcade, owned by William Finkel. Opened several weeks ago after being closed for six months was the neighborhood Brookline, a Warner theatre.

'Met' Opens 16-Week Season on Nov. 27

The Metropolitan Opera yesterday announced its plans for a 16-week season to start Nov. 27. Important artists of last year will be heard again in the standard repertoire with nine revivals to be added. These include "Pelleas et Melisande," "Le Nozze di Figaro," "L'Amore Dei Tre Re," "Der Fliegende Hollander," "Die Verkaufte Braut," "Faust," "Le Coq D'Or," "La Forza Del Destino" and "La Gioconda."

New artists include Jarmila Novotna, lyric soprano; Hilde Reggiani, coloratura soprano; Eyvind Laholm, tenor; Alexander Kipnis, basso; Lodovico Oliviero, tenor; Annamary Dickey, soprano; Mack Harrell, baritone, and Frank St. Leger, assistant conductor.

Rules on 'Birth' Ban

CHICAGO, Oct. 3.—An attempt to show "Birth of a Nation," banned here by the censor board, on an injunction overruling the ban handed down in 1917, was overruled today by Corporation Counsel Barnet Hodes. He said the injunction concerned only the silent version rather than the talkie now being released.

Set Club Benefit Show

MILWAUKEE Oct. 3.—The Variety Club Auxiliary here has scheduled a midnight Variety Follies to be held at Fox's Palace Theatre Dec. 2.

Insider's Outlook

By SAM SHAIN

BY a release on an anti-trust case, which got here two days late, we learn that Steve Hanagan is still handling the lawyer publicity in these matters.

IN the Bronx there are some film house owners who by screen trailers advise customers to listen to the radio. It is a tie-up, somehow between these exhibitors and Bill Berns, Bronx film reporter on WBNX, with a contest slant. Berns claims to have 15 film houses on his roster.

JUST what are the conditions over here? Well, according to certain major circuit executives, business in the West and in the Middle West is about the same as during the last year. Boost in the manufacture of planes, necessitating an increase in employment, will raise the grosses further.

THERE has been some talk relative to increasing admission prices of theatres. There is no question that major chains are thinking seriously along such lines. However, one school of thought holds that any present action in this regard would be premature. If and when there is a more widespread industrial activity, it will be time enough to consider the box office hoist.

DISCUSSED at a recent meeting of the Hays office members, were emergency plans which the industry might possibly adopt to offset the drop in foreign revenue. The boys exchanged information concerning the known and probably effects of the war, but took no action.

UP in Albany, the legislators are wondering whether exhibitors are going to pitch in against the passage of the pari-mutuel bill. It will appear on the voting machines this Fall in referendum form as an amendment to Article 1 of the State Constitution. If the bill passes, the boys are anticipating three or four new tracks around metropolitan New York.

NEW YORK STATE is among those which has a law prohibiting furnishing false information to newspapers. It is Section 1353 of the Penal Code and reads:

"Any person who knowingly and wilfully states, delivers or transmits by any means whatever to any manager, editor, publisher, reporter or other employee of a publisher or any newspaper, magazine, publications, periodical or serial, any false and untrue statement of a fact concerning any person or corporation, with intent that the same shall be published, is guilty of a misdemeanor."

ATTORNEY FREDERICK WOOD, representing the Schine Theatre interests in the pending Buffalo anti-trust suit, in court, the other day, described the film business thus:

"Exhibition of motion pictures is purely a local business, like a professional baseball game, and is not within the reach of the Sherman Act nor Federal power."

ONE of the gags in Metro's Marx Brothers picture, "At the Circus," kids the Hays office. Groucho is trailing the stolen $10,000 when he sees a pretty girl hide the wallet in her dress. After attempting devious means of retrieving the money, Groucho remarks:

"There must be some way I can reach that dough without offending the Hays office."

TALKING about Metro brings to mind Oscar Doob's description of the new Greta Garbo-Ernst Lubitsch film, thus: "Garbo cuts a new notchka in her career."

MORT FRANK reports from Pittsburgh that Jesse Lasky thinks movie producers should spend a couple of months every year traveling through the hinterlands polling exhibitors' opinions. Visiting 15 cities during the past few weeks, he has learned that theatre owners' reactions to stars and pictures are widely different from the West Coast belief.

KATHERINE LOCKE (Mrs. Morris Helprin) opened in "Hamlet" for one week in Philadelphia. A week in Baltimore and Pittsburgh follows after which Miss Locke returns to New York for a featured role in "Christmas Eve," new Guthrie McClintic play.

IN Cleveland the other night, Ruth Chatterton, there to open the Hanna Theatre season with "Tonight We Dance," fervently added her voice to those who want America to stay out of the war, saying:

"I want to get up on a soap box and shout, 'Don't go; don't go.'"

"The stage is much more fun than the movies," she told interviewers. "Without the audience the work is dull.

"But I'm grateful to the movies for the money and the enormous public. When I bring my plane down at an airport and someone says, 'That's Ruth Chatterton,' I tell myself, 'That's the movies.'"

New Revenue Ideas Pushed By Paramount

Paramount theatre operators are receiving suggestions from home office officials on emergency measures believed to be adaptable to their territories, by means of which additional revenue may be realized by the [illegible]ent company to aid in offsetting loss of foreign revenue.

Measures are being advanced as a further method in the general program of assuring an uninterrupted flow of product even in the face of an extended European war.

Suggestions are understood to range from economy measures to showmanship ideas, including increased playing time for pictures which merit it.

Paramount theatre operators currently discussing such proposals with Paramount home office officials include A. H. Blank and Myron Blank of Des Moines; George Walsh of Buffalo and Jules Rubens of Chicago. Here earlier were L. J. Ludwig of Minneapolis, G. Ralph Branton of Des Moines, Arthur Lucas and W. K. Jenkins of Atlanta.

In addition, Leonard Goldenson and Leon Netter, home office theatre officials, have conferred in recent weeks with the company's theatre associates in Detroit, Chicago, Minneapolis and the South.

Hail Plan for New Chilean Trade Pact

Announcement by Secretary Hull that the United States would endeavor to negotiate a reciprocal trade treaty with Chile was greeted in home office foreign departments yesterday with satisfaction.

Chile is recognized in export trade circles as one of the world's most stringently regulated money markets. American film companies have not been able to withdraw currency from Chile in years and, in consquence, own everything from hotels and apartments to corner fruit stands throughout Chile.

In the event the reciprocal treaty is consummated, the Export-Import Bank will advance $5,000,000 to Chile to facilitate commercial transcations, which are now handicapped by the Chilean money embargo and unfavorable exchange rates.

The State Department also is negotiating a reciprocal trade treaty with Argentina and has concluded one with Brazil.

Monogram Closes Deals

Monogram has closed the following circuit deals for the 1939-'40 program: E. M. Loew Theatres, Inc., Boston; Kincey Circuit, Charlotte, N. C.; Anderson Theatre Circuit, Chicago; Sheedon Grengs, Minneapolis; E. F. Burgan, Kansas City, and Harry Walken, Omaha.

Warner Title Changed

HOLLYWOOD, Oct. 3.—"Years Without Days" is the final title for the Warner picture formerly known as "City of Lost Men." John Garfield, Pat O'Brien, Burgess Meredith and Ann Sheridan head the cast.

OCTOBER 19th



NOT THAT YOU WERE IN DOUBT

(The following is a confidential report of a sneak preview of Frank Capra's MR. SMITH GOES TO WASHINGTON in a California theatre from the theatre manager to the president of one of the most important theatre circuits in the country.)

"*A triumph of masterly direction by Frank Capra, containing every element of successful motion picture entertainment . . . human interest, rich humor, pathos, romance and a story with a sock.*

This picture is fully up to the high standard set by Capra.

James Stewart is superb.

Jean Arthur is perfect.

A large and impressive supporting cast deliver one hundred percent performances.

The picture emerges as grand entertainment.

but just to reassure you

The deft Capra touch has made the most out of every situation and the picture will be understood and enjoyed by people of all ages and in all walks of life.

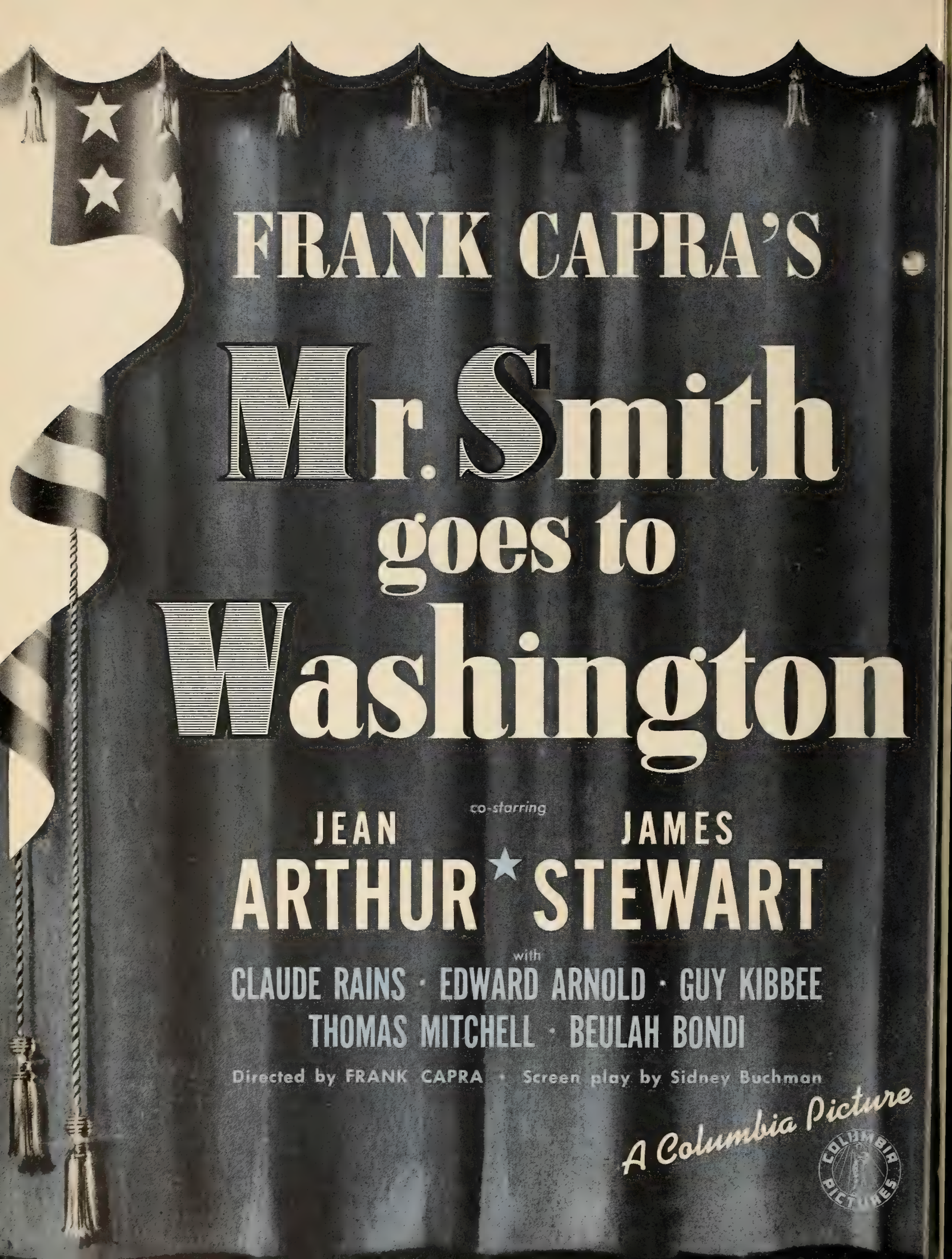
Audience reaction:—a packed house received the picture warmly, laughed heartily at the humorous sequences, were highly interested in the development of the story, applauded passages of dialogue and at the finish gave the picture an ovation.

Our supply of comment cards was exhausted and we were forced to make up some, as people insisted on writing their praise of the picture. The cards were 100% raves.

With the Capra name, the all-round excellence of the cast, the timeliness of the story and the magnificent production, it cannot fail to be a a top-grosser.

Rating—from any and all angles—double AA plus."

PRINTED IN U.S.A.


FRANK CAPRA'S
Mr. Smith goes to Washington
co-starring
JEAN ARTHUR ★ JAMES STEWART
with
CLAUDE RAINS · EDWARD ARNOLD · GUY KIBBEE
THOMAS MITCHELL · BEULAH BONDI
Directed by FRANK CAPRA · Screen play by Sidney Buchman
A Columbia Picture
COLUMBIA PICTURES

'Rains Came' Takes $9,500 In Pittsburgh

PITTSBURGH, Oct. 3.—"The Rains Came" led the town comparatively with $9,500 at the Alvin in the second week. "Thunder Afloat" was good for $13,500 at Loew's Penn, and "The Star Maker" drew $5,000 in the second week at the Warner.

Estimated takings for the week ending Sept. 28:

"The Rains Came" (20th-Fox)
ALVIN—(1,900) (25c-35c-50c) 7 days, 2nd week. Gross: $9,500. (Average, $7,000)
"Stanley and Livingstone" (20th-Fox)
FULTON—(2,000) (25c-40c) 7 days, 3rd week. Gross: $5,000. (Average, $5,000)
"Thunder Afloat" (M-G-M)
LOEW'S PENN—(3,600) (25c-35c-50c) 7 days. Gross: $13,500. (Average, $13,000)
"Charlie Chan at Treasure Island" (20th-Fox)
"Prison Gates" (Col.)
SENATOR—(2,000) (25c-40c) 7 days. Jesse Lasky "Gateway to Hollywood" on stage 2 days. Gross: $3,000. (Average, $2,800)
"Dust Be My Destiny" (W. B.)
STANLEY—(3,600) (25c-35c-50c) 7 days. Gross: $13,500. (Average with stage shows, $17,000)
"Star Maker" (Para.)
WARNER—(2,000) (25c-35c-50c) 7 days, 2nd week. Gross: $5,000. (Average, $4,500)

'Women' Is Smash $21,000 in Capital

WASHINGTON, Oct. 3. — "The Women" drew a smash $21,000 at Loew's Palace. "Fifth Avenue Girl" did nicely at RKO Keith's, taking $8,000.

Estimated grosses for the week ending Sept. 28:

"Adventures of Sherlock Holmes" (20th-Fox)
LOEW'S CAPITOL—(3,434) (25c-66c) 7 days. Stage: Larry Clinton & orchestra. Gross: $16,500. (Average, $16,500)
"Wizard of Oz" (M-G-M)
LOEW'S COLUMBIA—(1,243) (25c-40c) 7 days, 2nd run. Gross: $5,800. (Average, $4,500)
"The Women" (M-G-M)
LOEW'S PALACE—(2,370) (25c-55c) 7 days. Gross: $21,000. (Average, $12,000)
"Fifth Avenue Girl" (RKO)
RKO-KEITH'S—(1,836) (25c-55c) 7 days. Gross: $8,000. (Average, $6,000)
"Espionage Agent" (W. B.)
WARNERS' EARLE—(2,218) (25c-66c) 7 days. Stage: Vaudeville. Gross: $14,800. (Average, $16,000)
"Golden Boy" (Col.)
WARNERS' METROPOLITAN — (1,591) (25c-40c) 7 days, 2nd run. Gross: $5,500. (Average, $4,000)

'Beau Geste' Biggest Milwaukee Grosser

MILWAUKEE, Wis., Oct. 3.—"Beau Geste" and "Night Work" were the week's best grossers with a $9,800 take at Fox's Palace. Second money went to "Dust Be My Destiny" and "Winter Carnival" which connected for $5,600 at the Warner.

Estimated takings for the week ending Sept. 28:

"Beau Geste" (Para.)
"Night Work" (Para.)
PALACE—(2,400) (25c-35c-50c) 7 days. Gross: $9,800. (Average, $4,000)
"Hawaiian Nights" (Univ.)
RIVERSIDE—(2,700) (25c-30c) 7 days. Stage: Duncan Sisters and June St. Clair. Gross: $7,400. (Average, $6,500)
"The Old Maid" (F. N.)
"Golden Boy" (Col.)
STRAND—(1,400) (25c-35c-50c) 7 days. Gross: $2,000. (Average, $1,500)
"Dust Be My Destiny" (F. N.)
"Winter Carnival" (U. A.)
WARNER—(2,400) (25c-35c-50c) 7 days. Gross: $5,600. (Average, $4,500)
"The Rains Came" (20th-Fox)
"Stop, Look and Love" (20th-Fox)
WISCONSIN—(3,200) (25c-35c-50c) 7 days. (2nd week). Gross: $5,000. (Average, $5,500)

Feature Reviews

"A Woman Is the Judge"

(Columbia)

Women will be moved by this tale of the emotions of a mother who finds herself sitting as judge with her own daughter as the accused in a murder case. Men will find this tale of racket-busting and gangsters' "molls" an exciting and fast moving melodrama.

Frieda Inescort is the woman who has established herself as one of the most advanced and humane jurists in her community. Noted for her integrity, she is designated to preside at the trial of a notorious gangster who has been brought to justice by gang-smashing Otto Kruger, a special prosecutor.

One shadow marks Miss Inescort's career—the loss of her baby whom she deserted when the child was a mere infant. Despite fruitless years of searching no trace of the child is found. Only the gangster on trial knows that the judge's child is a criminal in his employ. He attempts to force Rochelle Hudson, the daughter, to blackmail Miss Inescort but the latter shoots him instead.

Courtroom scenes, frequently used, are dramatically and forcefully presented. Many phases of the film are readily available for exploitation. In the closing scenes, Miss Inescort's appeal for her daughter is a touching and effective speech.

Nick Grinde, who directed, skillfully ties the varied threads of the narrative together and never permits the action to lag. Mayo Methot and Beryl Mercer are effective in the supporting roles.

Running time, 61 minutes. "G."* EDWARD GREIF

"Heaven With a Barbed Wire Fence"

(20th Century-Fox)

HOLLYWOOD, Oct. 3.—"Heaven With a Barbed Wire Fence," probably planned by 20th Century-Fox as a test picture for young Glen Ford, comes to the screen as worthwhile entertainment. It's the story of a brave boy who set out to make a place for himself in the world. As the material found in Dalton Trumbo's original was transcribed to screen form by the author, Leonard Hoffman and Ben Grauman Kohn, it glows with humor, drama, romance, suspense and unexpected twists. Under Ricardo Cortez's shrewd direction, newcomer Ford, Nicholas Conte and young Jean Rogers appear to particularly good advantage with such old timers as Raymond Walburn, Marjorie Rambeau, Eddie Collins, Ward Bond, Irving Bacon and Kay Linaker providing the kind of support expected of experienced players.

From New York, Ford starts hitch-hiking across the country to claim a ranch he has bought in Arizona. En route he encounters philosophical hobo Walburn, cagey tramp Conte and Miss Rogers, a Spanish refugee illegally in the country. The group meets many exciting adventures as Ford and the girl fall in love. To save her from deportation, they marry. Thereafter he receives two discouraging blows. His bride deserts him and the ranch he bought turns out to be a barren stretch of soil. He is ready to quit everything, when Miss Rogers returns and pleads with him to stay on the land where both will conquer the soil.

Running time, 60 minutes. "G."*

G. McC.

*"G" denotes general classification.

Radio Firm Formed

TALLAHASSE, Fla., Oct. 3. — Biscayne Broadcasting Co., Coral Gables, Fla., has been chartered. The authorized capital stock is 250 shares, $100 par value. Incorporators are F. W. Mizer, N. MacKay and F. E. Rider.

Sports Review

Brown & Williamson Tobacco Corp., through B. B. D. & O., will sponsor "Mel Allen's Sports Review" starting Thursday. Program will be aired over WABC Thursdays and Saturdays, 6:15 to 6:30 p.m.

Build Tower for WCSC

CHARLESTON, N. C., Oct. 3. — Construction has begun on a 220-foot steel tower for Station WCSC in the marsh in St. Andrew's parish. The tower will cost approximately $7,000 and ground antennae are being used to increase its power.

WISN Changes Policy

MILWAUKEE, Oct. 3.—New sales and promotion policy for WISN-CBS sponsors has been disclosed by C. W. Grignon, manager, with local tieups for national advertisers. Assistance in contacting dealers, obtaining displays, newspaper and trade paper publicity and program promotion will be rendered. The new policy will be under the direction of Hal Burnett, former WBBM, Chicago, promotion manager. Burnett joined WISN staff last week.

Sponsor Grid Game

COLUMBUS, Oct. 3. — Vess Bottled Beverage Co., sponsoring "Sports by Sweeney," also will sponsor broadcasts of the Ohio State University home football games over WHKC, with Red Sweeney as commentator, and Red Joyner assisting. Sweeney also will describe the Ohio State-Cornell game for Mutual.

'Fifth Avenue' Frisco's Best With $17,200

SAN FRANCISCO, Oct. 3. — "Fifth Avenue Girl" drew a good $17,200 at the Golden Gate. "Thunder Afloat," paired with "Everybody's Hobby" drew $13,500 at the Fox. "The Rains Came" drew $7,200 in the second week at the St. Francis.

Estimated takings for the week ending Sept. 26-29:

"Fifth Avenue Girl" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: Vaudeville. Gross: $17,200. (Average, $15,000)
"The Under-Pup" (Univ.)
"Hawaiian Nights" (Univ.)
ORPHEUM—(2,400) (15c-35c-40c-55c) 7 days, 2nd week. Gross: $6,500. (Average, $8,000)
"The Rains Came" (20th-Fox)
ST. FRANCIS—(1,400) (15c-30c-35c-40c) 7 days, 2nd week. Gross: $7,200. (Average, $6,000)
"Thunder Afloat" (M-G-M)
"Everybody's Hobby" (W. B.)
FOX — (5,000) (15c-30c-35c-40c) 7 days. Gross: $13,500. (Average, $16,000)
"The Old Maid" (W. B.)
"Torchy Plays with Dynamite" (W. B.)
PARAMOUNT—(2,740) (15c-30c-35c-40c) 7 days, 3rd week. Gross: $8,000. (Average, $11,500)
"Winter Carnival" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days. Gross: $7,400. (Average, $8,000)
"$1,000 a Touchdown" (Para.)
"Island of Lost Men" (Para.)
WARFIELD — (2,680) (15c-30c-35c-40c) 7 days. Gross: $10,500. (Average, $12,000)
"Son of a Witch" (Harry Thomas)
LARKIN—(390) (15c-35c-40c) 7 days, 2nd week. Gross: $600. (Average, $1,000)
"The Alibi" (French)
CLAY—(400) (15c-35c-40c) 7 days. Gross: $1,000. (Average, $1,000)

'Afloat' New Haven Winner at $9,500

NEW HAVEN, Oct. 3. — "Thunder Afloat" and "Stronger Than Desire" grossed $9,500 at the Loew-Poli. "Fifth Avenue Girl" and "The Saint in London" at the Roger Sherman grossed $6,200.

Estimated takings for the week ending Sept. 29:

"The Rains Came" (20th-Fox)
"Jones Family in Hollywood" (20th-Fox)
COLLEGE—(1,499), 35c-50c, 7 days, 2nd week. Gross: $3,500. (Average, $2,700)
"Thunder Afloat" (M-G-M)
"Stronger Than Desire" (M-G-M)
LOEW-POLI—(3,040) (35c-50c) 7 days. Gross: $9,500. (Average, $8,000)
"Beau Geste" (Para.)
"Chicken Wagon Family" (20th-Fox)
PARAMOUNT—(2,348) (35c-50c) 5 days, 2nd week. Gross: $2,500. (Average, $4,000)
"Fifth Avenue Girl" (RKO)
"The Saint in London" (RKO)
ROGER SHERMAN—(2,200) (35c-50c) 7 days. Gross: $6,200. (Average, $5,000)

New S. C. Station Announces Staff

COLUMBIA, S. C., Oct. 3. — Staff of WCOS, new station here, has been announced by A. B. Langley, president of Carolina Advertising Co., the owner. Charles A. Thoman will be station engineer and Hugh Deadwyler, manager. Sterling W. Wright will be program director; Roy A. Powell, University of South Carolina, program director; J. W. McIver, commercial manager; David M. Graham, program department; and Edwin B. Turner and Douglas Youngblood, salesmen.

Newsreel Parade

War news continues to dominate the newsreels, with the Pan-American conference a sustaining feature. Major football games throughout the nation are included. The reels and their contents follow:

MOVIETONE NEWS, No. 7—Lightning hits Belgian town. Stunt plane crash in Kansas. U. S. Destroyers reconditioned. Welles addresses Pan-American conference. Cardinal Mundelein dies. American Legion elects new commander. Chorus girls dance on Broadway. Lew Lehr. Football.

NEWS OF THE DAY, No. 205—Duke of Windsor goes to France as major general. Queen Wilhelmina reviews Dutch troops. Republics meet in Panama. Parachute jumping Army planes fly in formation. Football.

PARAMOUNT NEWS, No. 10—Pan-American conference. Senator LaFollette speaks on neutrality. Al Smith backs Roosevelt proposal. Villages in France evacuated. English aviators in France. Air raids in Poland. German army occupies Warsaw. Football.

RKO PATHE NEWS, No. 22—Dutch fortifications. Pan-American conference. Air show at World's Fair. Cattle drive in Mexico. Football. Horse racing.

UNIVERSAL NEWSREEL, No. 811—Dutch forces mobilized. French towns evacuated. New commander for American Legion. Smith urges neutrality revision. Football.

Stage Show Smash $13,100 in Buffalo

BUFFALO, Oct. 3.—"Panama Patrol," with the city's first sizeable vaudeville show in several years, clipped an amazing $13,100 at the new Twentieth Century.

Estimated takings for the week ending Sept. 30:

"The Rains Came" (20th-Fox)
BUFFALO—(3,000) (30c-35c-55c) 7 days. Gross: $15,100. (Average, $12,000)
"Thunder Afloat" (M-G-M)
"Everybody's Hobby" (W. B.)
GREAT LAKES—(3,000) (30c-50c) 7 days. Gross: $9,500. (Average, $7,500)
"Angels Wash Their Faces" (W. B.)
"News Is Made at Night" (20th-Fox)
HIPPODROME—(2,500) (25c-35c) 7 days. Gross: $6,500. (Average, $6,800)
"Panama Patrol" (G. N.)
TWENTIETH CENTURY—(3,500) (25c-40c) 7 days. Stage show. Gross: $13,100. (Average, $5,200)
"The Man They Could Not Hang" (Col.)
"Whispering Enemies" (Col.)
LAFAYETTE—(3,300) (25c-35c) 7 days. Gross: $6,000. (Average, $6,300)

'Blackhawk' K. C. Best with $5,600

KANSAS CITY, Oct. 3.—Holdovers held down total grosses here. The weather was normal until the end of the week, when it turned cold. "Mutiny on the Blackhawk" with stage show at the Tower took $5,600 for the best showing.

Estimated takings for the week ending Sept. 26-28:

"The Rains Came (20th-Fox)
ESQUIRE—(800) (25c-40c) 7 days, 2nd week. Gross: $2,800. (Average, $3,000)
"Thunder Afloat" (M-G-M)
"Five Little Peppers" (M-G-M)
MIDLAND — (4,000) (25c-40c) 7 days. Gross: $10,800. (Average, $11,500)
"Indianapolis Speedway" (W. B.)
"Magnificent Fraud" (Para.)
NEWMAN — (1,900) (25c-40c) 7 days. Gross: $4,600. (Average, $7,000)
"In Name Only" (RKO)
"Five Came Back" (RKO)
ORPHEUM—(1,500) (25c-40c) 7 days, 2nd week. Gross: $3,900. (Average, $5,000)
"Mutiny on the Blackhawk" (20th-Fox)
TOWER—(2,200) (25c) 7 days. Stage: Floyd Christy with Hal Gould, Jerry Coe & Maari Ann, Roy Conlin. Gross: $5,600. (Average, $5,000)
"The Rains Came" (20th-Fox)
UPTOWN—(2,000) (25c-40c) 2nd week. Gross: $3,200. (Average, $3,500)

Theatre, Personnel Notes

New Orleans Theatre Opens

NEW ORLEANS, Oct. 3.—The Circle Theatre, billed "as the most modern and up-to-date theatre in the South today," has been opened by Jaydel Theatres, Inc., which already operates the Coliseum, another nabe house, and the Center, business section combination first and second run house. Officials would not reveal its cost, seating capacity or screen size, for "business reasons."

Catering to whites and negroes, the house has a minimum of steps, thickly-carpeted ramps being predominant in the stadium type construction.

J. A. Dicharry is president of the operating corporation; Henry Lazarus, vice-president; Isador Lazarus, secretary, and J. F. Dicharry, treasurer.

Open in K. C. on Friday

KANSAS CITY, Oct. 3.—A $200,000 theatre has been rebuilt on the ruins of the Isis here by Fox Midwest Theatres, Inc. The new 1,400-seat Isis will be formally opened Friday.

Building Canada House

TORONTO, Oct. 3.—Nat Taylor, head of the 20th Century Theatres, Toronto, is supervising the construction of a theatre at Trenton, Ont., to serve the many officers and mechanics of the Royal Canadian Air Force who are stationed at that town. The theatre, which is to be known as the Community, is being constructed from a former garage.

Plan Theatre in S. C.

CHESTER, S. C., Oct. 3.—F. J. Powell, manager of Chester Theatres, announces the leasing of the A. H. Wherry, Jr., Building. It will be converted into a modern motion picture theatre at a cost of about $55,000. Remodeling will get under way Jan. 1.

Rejoins New Haven House

NEW HAVEN, Oct. 3. — Wallace Rosenthal, formerly at the Lincoln Theatre, has returned there as assistant manager under Mrs. Jack Crawford, wife of a Yale professor, as the 284-seat foreign films house opens its fourth season here.

Groton, Conn., House Ready

GROTON, Conn., Oct. 3.—J. C. Hess of the Moosup Theatre will open his new 400-seat Groton Theatre about Nov. 1.

Plans Connecticut Theatre

NEW HAVEN, Oct. 3.—Whitney Theatre Co. has obtained a building permit for a brick theatre and five stores in the Whitneyville suburb, total cost estimated at $80,000.

Leases in Devon, Conn.

DEVON, Conn., Oct. 3.—The 370-seat Devon, operated for five years by Barnett Tabackman, has been leased to Ralph Civitello of Connecticut Theatre Display Service of New Haven under a 10-year lease. Civitello will renovate and redecorate the house, reducing it to 270 seats and opening Oct. 12 under a full-time, three-change policy.

Remodel in Buffalo

BUFFALO, Oct. 3.—The Twentieth Century will receive a new front, to be built at an estimated cost of $20,000.

Rescind Closing Plan

PITTSBURGH, Oct. 3.—After notifying the operators that they would close Sept. 27, the Skirboll Brothers announced they would keep the Barry open indefinitely. Manuel Greenwald continues as manager. The house plays first run "B" double bills.

Resumes Acts in Cincinnati

CINCINNATI, Oct. 3.—The Rialto, second run downtown independent, has resumed its weekend stage and picture policy, playing six acts in addition to a feature and shorts, at 15 and 25 cents, matinee and night, respectively.

Retire Theatre Bonds

MILWAUKEE, Oct. 3.—Trustees for the Republic Building Co., which houses the Uptown here, have announced $2,052.50 on hand in the sinking fund for the retirement of some of the bonds issued under trust indenture.

Purchases Florida House

MACLENNY, Fla., Oct. 3.—E. D. Chessman, owner and operator of the Baker Theatre here, has recently purchased the building which houses the theatre, and the adjoining building.

Replace Florida Theatre

FT. MEADE, Fla., Oct. 3.—The new Fox Theatre building, replacing one recently destroyed by fire, is nearing completion and the house will have a seating capacity of approximately 500.

Photophone Deals Closed

Deals have been closed with the following theatres for installation of RCA Photophone sound equipment: Miller, Augusta, Ga.; Palace, McComb, Miss.; Webb, Gastonia, N. C.; new theatre at Elberton, Ga., and a new house at Bonny Blue, Va.

New Theatre for Jamaica

Herman Weingarten, theatre builder, will start construction soon on a new 600-seat house in Jamaica, Long Island.

Open Drive-In Theatre

CRESTON, O, Oct. 3.—Creston now has a drive-in theatre. Owners are C. A. Pierce and S. E. McFarren of Akron. Parking accommodations for approximately 500 cars are provided.

Reopen Jersey House

Broadmoor, Rapf & Ruden house in Bloomfield, N. J., reopened Friday after being dark for the summer. Rapf & Ruden's Cort, Somerville, N. J., on weekends will add vaudeville.

Reopen Ohio House

ZANESVILLE, O., Oct. 3.—The Quimby here has reopened, after several weeks of inactivity, with a double feature subsequent run film policy.

Buys in Ashtabula, O.

YOUNGSTOWN, O., Oct. 3.—William Thomas, for many years manager of the Elks Club here, has bought the Harbor Theatre at Ashtabula, O.

Transatlantic Has Two

Transatlantic Distributors, Inc., has imported two new French films, "Derniere Jeunesse" and "L'Emigrante," produced by Lumen Films and Vega Films, respectively.

Inducements

Green Bay, Wis., Oct. 3.—Competition is keen here for Saturday juvenile business as evidenced by the premiums offered. The Strand advertised "free prizes galore," a free "streamlined cylinder coin bank to all" and "a tasty fresh donut."

While Fox's Orpheum was content to offer free Eskimo pies, Standard Theatres' Bay announced a "Lone Ranger's Giant Party" which included 1.—Free Candy Bars. 2.—Free Coin Banks. 3.—Free 10 big prizes. 4.—Last Chapter, "Lone Ranger Rides Again." 5.—First Chapter, "Overland with Kit Carson." 6.—Special "Kit Carson" Free Club Member Cards. 7.—Cartoon "Small Fry." 8.—"Thunder Afloat." 9.—"Hero for a Day!" 10.—Stage Activities.

'Beau Geste' $8,500 Providence Gross

PROVIDENCE, Oct. 3.—The Strand with "Beau Geste" as a single feature, played to a strong $8,500.

Estimated takings for the week ending Sept. 26-28:

"Beau Geste" (Para.)
STRAND—(2,100) (25c-35c-50c) 7 days. Gross: $8,500. (Average, $6,000)
"Dust Be My Destiny" (W. B.)
"Nancy Drew and the Hidden Staircase" (W. B.)
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $8,000. (Average, $7,000)
"Thunder Afloat" (M-G-M)
"Five Little Peppers and How They Grew" (Col.)
LOEW'S STATE—(3,230) (25c-35c-50c) 7 days. Gross: $12,000. (Average, $11,000)
"Fifth Avenue Girl" (RKO)
"The Spellbinder" (RKO)
RKO ALBEE — (2,239) (25c-35c-50c) 7 days. Gross: $7,000. (Average, $6,000)
"Charlie Chan at Treasure Island" (20th-Fox)
FAY'S—(1,800) (25c-35c-40c). Vaudeville, 7 days. Gross: $5,000. (Average, $6,500)
"The Rains Came" (20th-Fox)
"Stop, Look and Love" (20th-Fox)
CARLTON—(1,526) (25c-35c-50c) 7 days, 2nd week. Gross: $3,300. (Average, $3,500)
"Indianapolis Speedway" (W. B.) (3 days)
"Miracles for Sale" (M-G-M) (3 days)
"Bachelor Mother" (R-K-O) (4 days)
"Night Work" (Para.) (4 days)
EMPIRE — (2,200) (20c-30c) 2nd run. Gross: $1,400. (Average, $1,800)

To Extend Suit

Mary Orr, plaintiff in a suit against 20th Century-Fox, filed application yesterday in N. Y. Supreme Court to be heard Oct. 10, to name Pictorial Review Co. and Herbert R. Mayes, editor, as additional defendants and to amend the complaint. Plaintiff seeks to fix damages at $75,000. Suit contends that title to plaintiff's story, "The Battle of Broadway," published in *The Pictorial Review,* was illegaly sold to 20th Century-Fox and used by it in a film.

Meet Casey Today

HOLLYWOOD, Oct. 3. — Newsreel cameramen belonging to I.A.T.S.E. will meet tomorrow with Pat Casey, producers' labor contact man, on their demands for a 25 per cent wage increase. William Bioff is aiding in the negotiations.

Proclaims Movie Week

CHICAGO, Oct. 3.—Mayor Edward J. Kelly today proclaimed Oct. 6-13 as National Movie Week. Proper recognition will be given by newspapers with special sections, and extra exploitation is planned by theatres.

Short Subject Reviews

"The Aghileen Pinnacles"

(*20th Century-Fox*)

Father Hubbard leaves on another of his "Alaskan Adventures" and in manages to bring back films of outstanding photographic beauty. The magnificent sweep of the Arctic glacial fields is used as background for climbing scenes. These scenes are particularly effective when a wide vista is shown and the humans barely visible. Specifically, Father Hubbard was seeking the explanation for certain mountainous peaks which appeared to be misplaced. Very much worthwhile. Running time, 11 mins.

"Clocking the Jockeys"

(*20th Century-Fox*)

Ed Thorgensen describes the life of the boys who ride the thoroughbreds to victory or defeat. Since their activities are restricted by the regulations of turf authorities, little is known of their modes of life. Thorgensen follows the routine of a jockey from sun-up to bedtime. Particularly interesting are the preparations for the race and weighing-in scenes. Fast moving. Running time, 11 mins.

"Sheep in the Meadow"

(*Terry-20th Century-Fox*)

Running several fables into one, this "Terrytoon" tells of the wolf in sheep's clothing who sets out after Mary's little lamb while Little Boy Blue is fast asleep. The animation is amazing and the story is lively. Done in black and white, it should please, especially the youngsters. Running time, 7 mins.

"The Orphan Duck"

(*Terry-20th Century-Fox*)

Here is a definite novelty in color cartoons and one that will bring chuckles from any audience. The novelty lies in the fact that there is not one word of dialogue—the entire story being carried by pantomime and occassional quacks. It is a piquant little story of a duck who wanders away seeking a home. After being rejected by some pigs, he takes up his abode with chickens but it is not until he saves one young chick from drowning that he is accepted there. Certain to get lots of laughs is the scene where the rooster inspects the egg production of his hens. Running time, 7 mins.

"Screen Snapshots"

(*Columbia*)

The art of makeup is illustrated by the prominent Westmore brothers with many Hollywood celebrities appearing in the short. What not to do in applying makeup is also shown. It should prove popular with the feminine audiences. Running time, 10 mins.

"Getting Your Money's Worth"

(*Lenauer International Films, Inc.*)

Automobile owners, especially those contemplating the purchase of a used car, will find this film highly instructive. First of all it emphasizes mechanical defects to watch for in buying a second-hand car. It also illustrates how unscrupulous used car dealers camaflouge defects to gyp buyers. Everyone who drives an automobile will appreciate the film's money-saving informativeness. It was produced by Julian Roffman. Running time, 10 mins.

"The Evergreen Empire"

(*20th Century-Fox*)

Movietone's "Magic Carpet" travels to the state of Washington and a varied and picturesque reel is the result. There are some striking views of the cloud-capped peaks and the photography throughout is of an exceptionally high standard. Interesting insights into the lumber industry and modern methods of transporting salmon to the headwaters are provided. A travelogue with a real punch. Running time, 11 mins.

New York Review

"I Met a Murderer"

(*York Picture*)

In its stark simplicity and splendid use of the photographic medium, this melodramatic study of a murder, a murderer and the pursuit must rank among the finer things of the screen from any source.

Produced by Gamma Films, English company, with its personnel being entirely unknown, the film is of the essence of the motion picture. Its dialogue is sparing, becomes actually unnecessary, as the story is told incisively, with no waste motion, no elaborate settings save the starkly beautiful scenic background of the English countryside and seashore itself.

The credits list Roy Kellino as director, photographer and adapter, and James Mason and Pamela Kellino as authors of the original screen story. Music score was by Eric Ansell. Kellino gives every evidence of a confident grasp of the essentials of the photoplay and the technique of the screen.

Only five players are in the cast—Mason as the farmer-murderer; Sylvia Coleridge, his wife and victim; William Devlin, her brother, and Pamela Kellino, the murder mystery novelist, who meets, befriends and falls in love with Mason. Each performing with the same simple directness that characterizes the basic story itself, their performances at once become dramatically intense, and well nigh flawless.

Mason is an honest, hard working farmer, his wife a nagging slattern who makes his life miserable at every turn, and her brother an unwilling, slipshod worker. The breaking point is reached when she causes the barn to burn, and kills his favorite dog. Gone suddenly mad, he shoots her and buries her body in the garden. As the brother, led by an inquisitively digging dog, unearths the body, Mason makes good a frantic escape.

But soon the pack is unleashed on the trail of the hapless, "unfortunate" murderer. He meets Miss Kellino, vacationing novelist, who shelters him in her trailer. The two wander toward the sea, falling in love as they go. The new novel she is writing falls in his hands, its title that of the film, and he realizes that she is aware of his identity.

But the pack closes in again. Leaving her, he plunges into the forest. Wounded, he struggles toward the sea. With the pursuers tightening their net, he seeks the cool depths of the ocean, there to end his flight. Startlingly impressive is the scene in which he and a fox, the object of a countryside fox hunt, hide momentarily together in the same hayloft.

Running time, 70 minutes. "A."* CHARLES S. AARONSON

*"*A" denotes adult classification.*

Charleston, W. Va., Votes Ticket Levy

CHARLESTON, W. Va., Oct. 3.—The City Council has voted unanimously to levy a cent-a-person amusement tax. The tax will be paid on tickets for films, circuses, carnivals, dances, athletic events and "all amusement for private gain."

Not even passes will be exempt from the tax, it was stated. The new tax is expected to yield about $30,000 annually.

Schenck and Kent Confer This Week

Joseph M. Schenck, chairman of the board of 20th Century-Fox, is here for business conferences and plans to remain about two weeks before returning to the Coast.

The company's future plans in light of the European situation will be discussed when Schenck confers with S. R. Kent, president, who is due late this week from the Thousand Islands, where he spent the Summer.

Schenck, accompanied by A. C. Blumenthal, arrived Monday night from Mexico City by plane.

No Brandt Contract, Glenn Miller Protest

Glenn Miller, the band leader currently appearing at the Paramount, revealed yesterday that he had wired a protest to the Harry Brandt office demanding a retraction of printed program announcements at the Flatbush, Brooklyn, which listed Miller as "a coming attraction." The Rockwell-O'Keefe office, which handles the band, also declared that no negotiations had been started.

Gross Signs Buck Jones

Buck Jones has been signed by Rainbow Productions, Inc., according to Producer Edward Gross, who recently organized the new company.

Holland Film Business Hit By the War

By PHILIP de SCHAAP

AMSTERDAM, Oct. 3.—Despite the neutral status of Holland in the European war, theatre business in the country was seriously affected in the early days of the conflict. The adverse effect stemmed chiefly from the necessary precautionary measures taken by the Government for the protection of Dutch neutrality.

In the place, thousands of soldiers were mobilized, and in the state of general anxiety the public apparently had no desire to attend the film theatres. In addition, film shipments were demoralized because all available means of communication were used to transport troops to the Dutch frontier.

However, the shipping problem was taken care of within a short time, through the efforts of the Dutch Bioscoop Bond, which is the film industry's major organization.

In order to stress its neutrality, the Dutch Government censored all war material in newsreels, which was a blow to the business of the newsreel theatres. The Bond has taken the matter up with the censor board. The censorship has not been extended to the radio or newspapers.

A number of theatre managers and owners have been compelled to join the army immediately, without having had time to arrange their affairs. Also a number of theatres have been temporarily taken over as barracks for soldiers. The indemnity paid to owners in those cases, however, was not sufficient to compensate for the loss of business. The Bond has allowed theatres to admit soldiers at a 50 per cent reduction in admission. The federation established admission prices some time ago.

The virtual cessation of British and French production also has created a problem, since even films already produced and ordered are being shipped into Holland with difficulty. German product is available, since the countries have mutual frontiers. American and domestic product has a rare opportunity, of course, to consolidate a dominant position in this market. The majority of films imported into Holland for many years has been of American origin.

The March of Time reel, "The Maginot Line" has been banned by the censor board, although it was approved when it was originally released, before the outbreak of the war.

Heavy additional competition for theatres is coming from the A.N.P., national radio station, which each evening is broadcasting the latest news at 8 P. M. The federation has protested to the A.N.P., asking a change in the time of the broadcast so that it will not come at the best theatre hour of the day. To date, no action has been taken.

Columbia Club Dinner

The Columbian Club, employe organization of Columbia, will hold a dinner party Oct. 27 at Ben Riley's, 246 St. and Hendrik Hudson Parkway. Phil Weisman, president, is in charge of arrangements.

Radio Personals

SIDNEY WALTON has left the announcing staff at WOR to join the news department for a Monday-through-Friday newscast at 4 P. M. Floyd Mack, formerly with Don Lee, joins the announcing staff on a permanent basis and Al Helfer rejoins the same staff. . . .

Ralph Rosenberg has resigned from WLW-WSAI Cincinnati publicity staff to join the Ziv Advertising Agency. William Robinson succeeds him. . . . Paul Whiteman returns to New York today for his regular Wednesday night broadcast over CBS. . . . Michael Hinn, WLW announcer, has been shifted to the news staff. . . . Bernard Matteson, copyright analyzer for WLW-WSAI, and Miss Martha Richards, were married in Cincinnati last week. . . .

Frank Brady, of KMOX, St. Louis, sports department, and Mena Boyer, secretary to Program Director C. G. Renier, have just announced their marriage as of last July. Harriet Edwards, KMOX educational program director, dons the bridal gown Saturday when she weds H. N. Spencer, Jr., of the D'Arcy Advertising Agency. . . . Lloyd Yoger, general manager of KPO and KGO, San Francisco, has been transferred to KOA, Denver, effective Oct. 15. A. E. Nelson, former sales manager for NBC-Blue succeeds him. . . .

Jacksonville's City Commissioner Thomas C. Imeson, who is in charge of municipally-owned WJAX, has just returned to Jacksonville after attending the recent NAB special convention.

Bob Trout is now doing a five-minute newscast on the Pet Milk Mary Lee Taylor hour over CBS. Trout will speak from New York but the rest of the program will continue to originate from St. Louis.

Pick Radio Censors of Election Speeches

MONTREAL, Oct. 3.—The censorship co-ordination committee has named three of its members to take charge of censorship of radio studio speeches to be made in the Quebec provincial election campaign this month, it has been announced by Maurice Goudrault, manager of CBC's Montreal stations.

Those selected are Maurice Tillivier, legal officer of the House of Commons; Paul Fontain and Romeo Gibeault, Department of Justice lawyers.

World Series Set Over 180 Stations

World Series broadcasts will be carried over a network of 180 stations arranged by Mutual, starting today. A special microphone, consisting of a bat and ball, has been designed by Mutual's engineering staff and will be used at the ball park. Thirty-five Canadian stations and two in Hawaii will carry the program and WRUL, Boston, will send it out by shortwave. The series opens today at Yankee Stadium.

"Hollywood Cavalcade"

[Twentieth Century-Fox]

(*Continued from page 1*)

was in the days when Hollywood was still in cocoon, in the days when nickelodeons began to dot the landscape.

Connors had ideas of his own. An accidental custard pie throwing sequence becomes a "take," and from then on the director is the innovator of cycles. Comes the dawn of Keystone cops and bathing beauties. Connors quits in a huff because the producer caviled at "extravagance." He gets a bankroll from a friend, Dave Spingold (J. Edward Bromberg), and the two go in business in a studio of their own. The era of super specials thus begins.

Too busy working, Connors neglects his star romantically. When she marries her leading man, Nicky Hayden (Alan Curtis), the director-star combination is broken up, over Spingold's protest. Known by this time as "the world's greatest lovers," Miss Adair and Hayden are signed by Metro, and Connors tries to forget the memory in the production of historical epics. The company fails and Connors falls on lean days until he is given a chance to direct Miss Adair in a big picture. In the midst of shooting, an automobile accident kills Hayden and seriously injures Miss Adair. It looks as if all is lost, with the bankers, panicky at the innovation of talking pictures, demanding a patched-up completed film. Connors gets an idea from Al Jolson's singing in "The Jazz Singer," and saves the picture by completing the remaining footage as a "talkie." The story ends on the glamorous note of a "world premiere" at Grauman's Egyptian Theatre, with lights proclaiming that "Mollie Adair Talks," and that the director and star are together again.

Irving Cummings does an expert job of directing a large and well remembered cast which includes players who reenact sequences of early day films. Stuart Erwin is a cameraman, Buster Keaton plays himself, Jed Prouty is the chief of the Keystone cops, and there are Ben Turpin, Chester Conklin, Mack Sennett and a host of others.

Harry Joe Brown was associate producer of the picture which was based on an idea by Lou Breslow. Ernest Pascal's screenplay, from the story by Hilary Lynn and Brown Holmes, shows great understanding. The projection of films in black and white in contrast to the color of the picture is most effective. Allen M. Davey and Ernest Palmer did fine camera work.

Running time, 96 mins. "G."* ALFRED FINESTONE

*"G" denotes general classification.

Four Firms Accused Of NAB Violations

WASHINGTON, Oct. 3.—The American Road Builders Association, the Spool Cotton Co., B'rer Rabbit Molasses and the *Woman Magazine* have been cited for alleged violation of the N.A.B. code. The companies sought free time for commercial purposes on member stations, it is charged. The Bureau of Radio Advertising has advised these companies that their proposals constitute free offers which the code prohibits member stations from accepting.

Crowell-Collier has agreed to waive mention of the four magazines published by the company in connection with the "Voice of Industry" programs to be carried over N.A.B. member stations. Stations will be permitted to fade out the closing announcements and substitute wordings considered more fitting.

B. & K. Agreement With UA Looming

(*Continued from page 1*)

Morris Leonard, his assistant, will confer also with Paramount home office officials while here. He reported that B. & K. already has taken measures designed to give "every day of extra playing time" it possibly can to the product it plays because of the industry emergency created by the loss of European revenue to producers and distributors.

Columbia in Barter With NBC Television

In a deal described as a "barter exchange," Columbia will allow NBC to telecast two of its shorts—"There Goes Dusty" and "Screen Snapshots"—in return for which the television station will show two trailers for "Mr. Smith Goes to Washington."

On Oct. 11, the 25-minute telecast will consist of the two shorts, a three-minute trailer and a one-minute teaser trailer. On Oct. 18, the trailers will be repeated.

NLRB Shakeup

HOLLYWOOD, Oct. 3.—A shakeup in the local offices of the National Labor Relations Board today resulted in the transfer of several field examiners, including Chief Field Examiner William Pomerance, who had handled several cases involving motion picture workers.

Seek Wage Boost

HOLLYWOOD, Oct. 3.—Producers this week will consider demands for a 15 per cent wage increase made by Motion Picture Painters Local 644 which gave the studios until Oct. 16 to answer.

NBC and CBS Billings Jump In September

September billings for NBC totaled $3,315,307, an increase over the same month last year of 11.3 per cent. CBS billings were $2,565,246, an increase of 60.2 per cent over 1938.

Billings for the first nine months rose to $32,510,369 for NBC, as compared with $29,902,724 for 1938, an increase of 8.7 per cent. For CBS, first nine months' figures are 21 per cent ahead of last year, the totals being $24,167,548 for 1939, as compared with $19,975,523 for 1938.

NBC-Red network billed $2,648,892 for September and NBC-Blue, $666,415. First nine months' figures for the Red network are $25,121,002 and $7,389,367 for the Blue. In September, 1938, NBC billings were $2,979,241 and $1,601,755 for CBS.

Allies Permit NBC Reporter to Front

NBC has received permission from the British War Ministry to send a reporter to the front with the Allied troops. Brigadier General Henry J. Reilly, U. S. A., retired, has drawn the assignment.

Negotiations are pending in Berlin to have Warren Irvin, covering the war from Germany for NBC, receive similar permission to travel with German troops.

NBC has added to its 23 daily and 14 Sunday news periods and NBC reporters in Europe will summarize overnight developments each morning at 8. The roundup will be carried over the combined Blue and Red networks.

Denies CBC Faces War-Time Seizure

TORONTO, Oct. 3.—C. D. Howe, Canada's Federal Minister of Transport, has issued a formal denial that the Dominion government would take over the operation of Canadian Broadcasting Corp. as a war measure. Howe declared that CBC has been placed under the Government supervision and CBC officials would be required to consult with censorship authorities but would remain in charge of actual operations.

Included in Howe's announcement was the observation that the term of several members of CBC's board of governors would expire shortly. In Toronto, this is interpreted as a strong possibility that Government officials, including one or more military officers, will fill the vacancies.

Orders Suit to Trial

Application of M-G-M Pictures Corp., M-G-M Distributing Corp., Culver Export Co. and Loew's, Inc., for summary judgment dismissing an action by Delores Lacey Collins which charged infringement of the James Collins' book "Test Pilot" in the similarly titled film and asked for $1,000,000 damages, was denied yesterday by Federal Judge Henry W. Goddard. The decision ordered the suit to trial.

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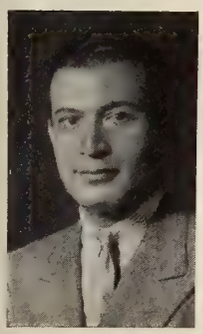
First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 67 NEW YORK, THURSDAY, OCTOBER 5, 1939 TEN CENTS

Monogram's Profit $78,000 For 8 Months

Nine Elected as Directors At Interim Meeting

Monogram Pictures Corp. has an operating profit of $78,773.89 for the eight months from Nov. 1, 1938, to July 1, 1939, W. Ray Johnston, president, reported at the interim meeting of stockholders at the home office yesterday.



W. B. Jaffe

For the 26 weeks ended July 1, 1939, Johnston reported a profit of $41,541.21. In November and December of 1938, the first two months the company operated in the black, he pointed out, the profit was $37,132.68.

The following were elected to the board of directors: Johnston, J. A. Sisto, O. Henry Briggs, William B. Jaffe, Scott R. Dunlap, Trem Carr, Thomas P. Loach, Norton V. Ritchey and Samuel Broidy. Briggs and Loach are president and vice-president, respectively, of Pathe; Jaffe is of the

(*Continued on page 2*)

War Causes Trade Concessions' Delay

Granting of trade practice concessions by individual companies, other than Warners and Loew's, whose programs already have been made known, is expected to be delayed further by the industry emergency resulting from the loss of foreign revenue as a result of the European war, it was indicated in several distribution quarters yesterday.

Sales executives maintain that the nature and extent of the concessions which were to be made may undergo a complete change as a result of the emergency. However, it was emphasized, so many uncertainties are involved at this time that no definite policy can be set immediately.

As a result of this, it is apparent that a number of distribution companies which were on the verge of making trade practice announcements now will defer these until the new economic order is further clarified.

Majors Preparing Their Own Queries For U.S. to Answer

Seven more major companies will serve detailed interrogatories on the Department of Justice in the near future in connection with the Government's New York anti-trust suit.

United Artists served the first defendant's interrogatories on the Government about two weeks ago, asking for names and addresses of Government witnesses to all of the industry practices alleged by the Department of Justice to be illegal. It is believed that the interrogatories of other defendants will differ in many respects from those of United Artists.

In filing the queries, defendant companies are adopting a procedure which was initiated by the Government in the New York case. The defendants have until Oct. 17 to make known their exceptions to the interrogatories put to them by the Government. Thereafter, when it has been determined what portions of the Federal interrogatories must be answered, several months may be required for the preparation of answers. The Government also will require considerable time if the court holds it must answer the defendants' interrogatories.

Under the indicated procedure, industry attorneys now regard the start of trial of the Government's New York suit as highly unlikely before next Spring or even the Fall of 1940. Because these latest time-consuming tactics were resorted to first by the Government, industry attorneys see a deliberate change in Department of Justice strategy in its prosecution policy against the industry.

They believe that the deliberate de-

(*Continued on page 3*)

SCHLESINGER-AT&T SETTLEMENT NEAR

National Theatres Extend Play Time

Spyros Skouras, operating head of National Theatres, yesterday said that the nationwide circuit of 450 theatres will give extended playing time to worthwhile pictures as a means of helping the film companies increase domestic revenue during the European emergency.

The policy will apply to subsequent runs as well as first runs, Skouras said, and the circuit will cooperate with the distributors to the fullest extent.

Holdovers Continue Broadway Strength

Holdovers produced excellent box-office results on Broadway during the past week. Second week of "Nurse Edith Cavell" grossed an estimated $82,000. "Intermezzo" bows in there today.

"Honeymoon in Bali" rang up a record at the Paramount last Sunday when an estimated take of $11,000 beat the first Sunday's gross. According to Robert M. Weitman, manager, this is the first time that such an event has occurred in the history of the house. The second week gross

(*Continued on page 6*)

10-Year Fight on Sound Patents Is Reported Nearly at End

WILMINGTON, Oct. 4.—Continued postponement of the appeals in the anti-trust suit brought by General Talking Pictures against the American Telephone and Telegraph Company and its subsidiaries, Western Electric and Electrical Research Products, indicates the probability of a settlement finally between the parties. It is understood that negotiations are well under way for such settlement. An announcement may be expected shortly.

The action, which has been pending for several years, was the culmination of a series of court controversies, costing hundreds of thousands of dollars, on sound patent devices raging between the two interests for nearly a decade. M. A. Schlesinger is head of General Talking Pictures, the parent company of the old DeForest Phonofilm Company.

What the proposed settlement will amount to is not known. The struggle between these two adversaries started when sound was in its infancy and it has continued through the years.

Besides owning General Talking Pictures, M. A. Schlesinger has a variety of interests in this country and abroad. With his brother, Isadore Schlesinger, he operates the largest circuit of theatres in South Africa. They are among the biggest purchasers of American films in the world.

Discussions have been going on on a friendly basis, and an understanding was reached early this week.

"Mr. Smith Goes to Washington"

[*Columbia*]

HOLLYWOOD, Oct. 4.—Columbia and the exhibitor can now announce to a waiting world that Frank Capra has done it again.

By "it," is meant the turning out of a new cinema epic designed in what has become known as "the Capra style," which showmen have learned to be a guarantee of box-office success.

As American in theme as the Constitution, as modern in plot as tomorrow's newspaper, as clearly defined as a Currier and Ives print, "Mr. Smith Goes to Washington" is a memorial to American ideals, living and breathing with all the power of the screen. Based on a young man's fight against powerful graft and corruption, the picture has all the elements of drama, sharply told and brilliantly enacted.

With the attention of the nation, and even the world, turned to Washington, the film is as natural for box-office appeal as anything ever turned out in Hollywood.

Capra, whose painstaking has become legend and who has received

(*Continued on page 3*)

British Quota Stand Worries Producers

LONDON, Oct. 4.—American producers and distributors here are greatly concerned over the statement of Lord Templemore, spokesman for the Board of Trade, in the House of Lords yesterday, that the British Government is seriously considering suspension of the exhibitors quota, but retention of the distributors quota.

A Government spokesman said some means must be found to curtail the outflow of the vast sums of money which are involved in the distribution of American films in this country.

The issues involved are considered delicate and complicated, and the Gov-

(*Continued on page 6*)

Monogram's Profit $78,000 For 8 Months

(Continued from page 1)

law firm of Rosenblatt and Jaffe, attorneys for Monogram; Broidy represents Boston shareholders.

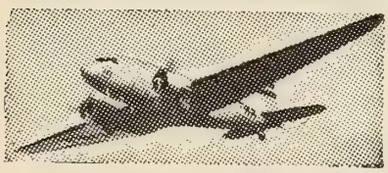
Officers of the corporation are Johnston, president; Scott R. Dunlap, vice-president for production; Edward A. Golden, vice-president for exchanges; George W. Weeks, vice-president for sales; M. S. White, secretary; H. G. Davis, assistant treasurer and Harry Iverson, comptroller.

Johnston declared that the war will react less definitely on a company like Monogram than on the larger companies, "because of the fact that in England we are guaranteed a certain advance on each picture as delivered against our percentage, instead of operating on a strictly percentage basis, as most of the companies do."

He cited "Mutiny in the Big House" and "Rip Van Winkle" as two outstanding pictures from which the company expects good returns.

238 Stations Carry World Series Game

Final count on the number of stations carrying the World Series was 238, Mutual revealed yesterday. Of these, 201 are U. S. stations, 35 in Canada and 2 in Hawaii. There were only six refusals by stations which were offered the programs, Mutual declared.



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SHORTEST, FASTEST COAST-TO-COAST

Purely Personal

BEN GOETZ, British production executive for M-G-M, accompanied by his wife and son, MARVIN HAYES, has arrived on the coast from New York.

•

RALPH PIELOW, M-G-M Albany branch manager, and CHARLES A. SMAKWITZ, Warner Albany district manager, visited NATE SAUBER, former Universal Albany manager, in a Washington hospital.

•

BABURAO PATEL, editor of *Filmindia* and president of the Journalists Association of India, sails for home Oct. 10 after an extended visit here and in Hollywood.

•

MRS. FOSTER JACKSON of the Elsinore Theatre, Elsinore, Calif., suffered a serious fracture in a fall while visiting here and is in Roosevelt Hospital.

•

LEE NEWBURY, president, Allied of New Jersey, returned yesterday from Syracuse where he attended an exhibitor meeting.

•

ARTHUR NEWMAN, Republic branch manager in Albany, in New York visiting SI FABIAN on a product deal.

•

LOUIS DAVIDSON, assistant to RODNEY BUSH at 20th Century-Fox, is in Philadelphia.

•

LOU IRWIN flies to New Orleans Friday night and then to the Coast via Chicago.

•

MR. and MRS. GLENDON ALLVINE are the parents of a girl, born Monday.

WILLIAM F. RODGERS, general sales manager of M-G-M, and EDWARD SAUNDERS, Western division manager, have been huddling with SPYROS SKOURAS on the windup of the National Theatres film deal.

•

WILLIAM F. RODGERS, HERMAN ROBBINS, TOBY GRUEN, GEORGE WELTNER, E. K. O'SHEA, DAVID A. LEVY, JOSEPH SEIDER, MAX DREYFUS and MAX A. COHEN lunching at Nick's Hunting Room in the Astor yesterday.

•

LOUIS FROHLICH and HERMAN FINKELSTEIN of the Schwartz & Frohlich law firm will go to Jacksonville in the near future to argue a motion in connection with the case against the Florida anti-Ascap law.

•

FRED STORM, publicity representative for Samuel Goldwyn, postponed his departure from the Coast a few days and is not expected in New York now until this weekend.

•

WILLIAM C. GEHRING, 20th Century-Fox central division manager, returns today from Toronto where he worked on the Famous Players Canadian deal.

•

JAMES MULVEY distributed all his World Series ducats to friends, then stayed in his office and worked yesterday afternoon.

•

JOHN CUNNIFF, Brooklyn booker for M-G-M, celebrated his birthday yesterday.

•

JOSEPH R. VOGEL, executive of Loew theatres, is ill at his home.

Kuykendall Talks At Buffalo Monday

BUFFALO, Oct. 4.—Ed Kuykendall, president, M.P.T.O.A., will discuss "the exhibitor's contractual obligation to the distributors" at a general meeting of the M.P.T.O. of New York, western zone, here on Monday.

Details will be given of arrangements made with local newspapers for alphabetical listing of theatres in the theatrical advertising directory.

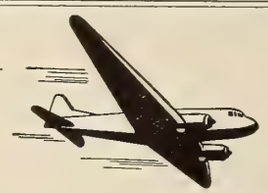
The organization will present figures to the State Public Service Commission to obtain lower power rates for members.

Ontario Meeting Today

TORONTO, Oct. 4.—An executive meeting of the Independent Theatres Association of Ontario has been called for tomorrow to set the date for the annual meeting for the election of officers and for the further consideration of the campaign for clearance and other trade reforms by the Anti-Protection League of Canada which is sponsored by the I.T.A. The president is Harry Firestone of Toronto.

World Gets Franchise

World Pictures has acquired the franchise in the Metropolitan area of the product of Standard Pictures. Among the films to be handled are "Mill on the Floss," "Lost on the Western Front," "Spy of Napoleon," "Prisoner of Corbal," "The Headleys at Home."



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Today's Mail

Editor, Motion Picture Daily:

"Re all the current comment about exhibitors getting out and advertising pictures more extensively, it has struck me that the producers and distributors have sort of been setting the pace up until now.

"Our mail is full of advertising covering the hit pictures produced by one company, but no mention is made much of the balance. Do the P. & D.'s expect the exhibitors to do something they don't do themselves?"

E. A. Stein,
Out-Wickenburg-Way Theatre,
Wickenburg, Ariz.

IATSE Chiefs Heard In Grand Jury Quiz

LOS ANGELES, Oct. 4.—After conducting routine business this morning, the Federal grand jury this afternoon resumed its investigation into the alleged income tax evasion and labor racketeering in the film industry by calling six labor officials.

Summoned to testify were Lew Blix and Steve Newman, International Alliance of Theatrical and Stage Employes officials; Joseph Carpenter, Guy Cooper and Ed Heim, suspended officers of Studio Technicians local 37 of the I.A.T.S.E. and H. K. Sorrell, business representative of the Moving Picture Painters local 644.

Pat Casey and Victor Clarke, producers' labor contact officers; Harry Cohn and Harry M. Warner have been called to testify tomorrow.

Albany Unit Will Act On New Allied Group

ALBANY, Oct. 4.—Whether the Albany unit of New York Allied will vote to affiliate with the new state organization being sponsored by National Allied will be known by the end of this week.

The membership is divided whether the local unit shall remain with the present state organization, which has been expelled by National Allied, or join the proposed new organization. Mitchel Conery, regional vice-president, and other officers would not discuss the matter.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Urges Canada Trade to Ask For Self Rule

TORONTO, Oct. 4.—A plea for self-regulation of the motion picture business in Canada has been made by N. A. Taylor, vice-president of the Independent Theatres Association of Ontario, in a statement referring to the move for trade reforms by the Anti-Protection League of Canada in the presentation of a request to the distributors for a national and regional conciliation boards. Taylor declared, in part:

"There are circumstances under which the courts and the legislative powers must act to bring about justice. We trust it will not be necessary in Canadian motion picture disputes but if it should be necessary, we will not hesitate to invoke it as there exists no machinery within the industry itself to appeal to. A national clearance board just now may turn the tide toward industry peace."

Ascap Offers Final Briefs in Nebraska

Final briefs and findings in Ascap's attack on the constitutionality of Nebraska's law to ban the society from the state were forwarded to the Federal court at Lincoln yesterday by Schwartz & Frohlich, Ascap counsel.

A decision in the case, which was tried before a three-judge Federal statutory court recently, is expected in two or three weeks. It will be the first Federal court ruling on the constitutionality of an anti-Ascap law. Deadline for submission of the final briefs had been set by the court for tomorrow.

Quit Canadian Group

TORONTO, Oct. 4.—Two Toronto theatres have withdrawn from Associated Theatres, an Ontario circuit, and have joined the Independent Theatres Association and its allied organization, the Exhibitors Booking Association, a cooperative buying organization of independent exhibitors. The two are A. Lester, King Theatre, and S. Lester, owner of the Doric Theatre, both veterans of many years.

Dismiss Phelan Appeal

TORONTO, Oct. 4.—The Ontario Court of Appeals has dismissed the appeal by H. W. Phelan, Toronto, from the judgment of the lower court in dismissing his damage suit against Famous Players Canadian Corp. for alleged fraud and misrepresentation in the exchange of shares for those of Paramount-Publix, New York, more than nine years ago. Phelan placed his loss at $4,500 in his statement of claim.

Film Magazine Ready

A new international quarterly magazine of film opinion, titled *Films*, will appear late in October, published by Kamin Publishers. The magazine is intended to provide "a medium whereby film craftsmen and the film audience may have a forum for the mutual exchange of ideas." The editorial board includes Lincoln Kirstein, Jay Leyda, Mary Losey, Robert Stebbins and Lee Strasberg.

"Mr. Smith Goes to Washington"

[*Columbia*]

(*Continued from page* 1)

the Academy of Motion Picture Arts and Sciences award for outstanding direction three times, selected James Stewart for the role of the young Senator and Jean Arthur for his secretary. He backed them with a stellar cast of supporting players, including Claude Rains, Edward Arnold, Guy Kibbee, Thomas Mitchell, Eugene Pallette, Beulah Bondi, H. B. Warner, Harry Carey, Astrid Allwyn, Ruth Donnelly, Porter Hall, Grant Mitchell, Pierre Watkin, Charles Lane, William Demarest, Dick Elliott, Billy Watson, John Russell, Harry Watson, Gary Watson, "Baby Dumpling" and H. V. Kaltenborn. They all distinguish themselves.

Sidney Buchman draws sole credit for the screenplay, having adapted a story by Lewis R. Foster, and his work rates consideration as one of the outstanding examples of the cinema craft. Capra's technical assistants, Arthur Black, assistant director; Joseph Walker, photographer; Gene Havlick and Al Clark, film editors; Dmitri Tiomkin, composer, have worked with him on his previous hits and contribute no little to the apparent success of "Mr. Smith Goes to Washington."

Artistically perfect, the picture weaves romance into the happenings of the United States Senate when Stewart attempts, single-handed, to break the tentacles of a huge graft ring. Himself indicted as a thief, Stewart, through a valiant filibuster, aided by his secretary, who was at first in the pay of the ring, brings about its downfall.

Producer-director Capra made of this one of the most exhilarating American documents of modern times. What might have been banal in the utterances of traditional ideals was held with a firm hand and made to ring truly and sincerely. Despite its length, the film never lets down, never lags and never fails to move—a commanding candidate for Academy and box-office honors.

Running time, 127 minutes. "G."* VANCE KING

**"G" denotes general classification.*

Majors Preparing Questions for U. S.

(*Continued from page* 1)

lay in the New York case indicates a preference on the part of the Department to proceed to trial first with one of its regional circuit actions instead; either that against the Schine, Griffith or Sudekum circuits.

It is pointed out that the same issues are at stake in these actions and that the cases are more readily presentable by the Government, since they are of compact and more or less recent development, as contrasted with the whole industry picture which would have to be entered in the New York case.

Industry attorneys also view as significant recent Department of Justice indications that the "six additional regional anti-trust suits" which it had publicly threatened to bring a few months ago, were to be forgotten "for the time being."

Mutual Wins Scroll

Mutual's sales promotion department has received a scroll from the Direct Mail Advertising Association for "general excellence and results achieved." The awarding of the scroll to Robert A. Schmid, sales promotion manager, brings Mutual's awards this year to three. Mutual also received the association's scroll last year.

Examine Lenrose Chiefs

Examination before trial of S. Robert Putterman and Benjamin Green, officers of Lenrose Amusement Corp., was begun yesterday in the office of Louis Nizer, attorney for defendant distribution companies in an anti-trust suit brought against them by Lenrose. The plaintiff, operator of a Newark theatre, asks $150,000 triple damages.

Isolation

Locked Up Two Days; No Scarlet Fever!

James Earnhardt, operator of the Taylor Theatre, Edenton, N. C., is recovering from a fright induced by forced detainment in a New York isolation ward.

While here with his wife to see the World's Fair, Earnhardt developed a high fever and a doctor diagnosed the case as scarlet fever. After two days of a scheduled 21-day stay in the hospital, Mrs. Earnhardt called the family doctor back home and learned that the symptoms were induced by an injection of diphtheria serum taken before they left.

RKO's World's Fair headquarters obtained his release from the hospital by getting a Board of Health order. Meantime, Earnhardt's clothes were burned.

Majestic Stock Quiz

Securities and Exchange Commission has sent out a questionnaire seeking information on trading in Majestic Radio and Television Corp. stock on the N. Y. Curb Exchange on Sept. 22 and 23. Only 100 shares were traded on the first day at a price of 1⅝, but the next day 35,500 shares changed hands and the stock closed at 2¾.

Republic in Fabian Deal

Republic has closed a new season product deal with the Si Fabian circuit, comprising theatres in Brooklyn, Albany, Schenectady, Troy and Cohoes, N. Y.

Calls Bank Night An Illegal Lure

Denton, Md., Oct. 4.—Bank Night is bait used to lure patrons to the theatre, Judge J. Owens Knotts declared here in bringing the alleged illegality of the games to the attention of the Grand Jury at the opening of the Caroline County Circuit Court.

He said the sale of a film ticket bought for participation in cash drawing is illegal, since films are not charitable enterprises.

Wire Broadcasting Post Given to Bunn

Charles W. Bunn, formerly general sales manager of Erpi, has been appointed general manager of Wire Broadcasting Corp. of America.

Bunn declared his company, which furnishes musical programs, news and sports to subscribers including restaurants, hotels and the like, will expand to other cities.

Bunn will supervise the activities of the following associated companies: Teleprograms, Inc.; Telemusic, Inc. of New York; Muse-Art Corp. of Philadelphia; Television Music, Inc. of Washington, D. C.; Telemusic, Inc. of New Jersey; Wire Broadcasting, Inc. of New Jersey, and Wire Broadcasting, Inc. of Pennsylvania.

Mutual Will Star Capital Columnists

Mutual is preparing a show to feature Pearson and Allen, the "Washington Merry-Go-Round" columnists, Erno Rapee and his orchestra and Lisabeth Hughes as soloist. The show is due Oct. 15 and the columnists will come to New York weekly to appear before the microphone. There will be participating sponsors in each city.

'Glamour Girl' Quest

Gilbert Marbe, manager of Loew's Ziegfeld, is conducting a contest for the high school "glamour girl" of Manhattan. Girls between the ages of 16 and 20 will appear on the stage of the theatre Oct. 18, to be judged by John Powers, George White, Russell Patterson, Georgie Hale, Ben Jacobson, Billy Livingston, Charles Le Maire, Tony de Marco, Norman Pincus and William Jarvis. Several prizes will be awarded.

Technicolor Dividend

Directors of Technicolor, Inc., at a meeting yesterday declared a dividend of 25 cents a share on the common stock, payable Oct. 18 to stockholders of record Oct. 13. Dr. Herbert T. Kalmus, president and general manager of the company, arrived this week from the Coast and presided at the meeting.

Talk Warner Deals

Ted Schlanger, Warner circuit zone manager in the Philadelphia area, and Lester Krieger, zone booker, are here working on the new season Universal product deal. Moe Silver, Albany zone chief, and Max Friedman, zone booker, are also here on product deals.

THE PRIVATE LIVES OF

ELIZABETH AND ESSEX

COMPLETED!

(In Technicolor. Bette Davis, Errol Flynn, Olivia de Havilland, Donald Crisp, Alan Hale, Vincent Price)

THE ROARING TWENTIES

COMPLETED!

(James Cagney, Priscilla Lane, Humphrey Bogart, Gladys George, Jeffrey Lynn. Story by Mark Hellinger)

DUST BE MY DESTINY

COMPLETED!

(John Garfield, Priscilla Lane, Alan Hale)

FOUR WIVES

COMPLETED!

(With "The Four Daughters", Claude Rains, Jeffrey Lynn, May Robson, Dick Foran, Frank McHugh)

ESPIONAGE AGENT

COMPLETED!

(Joel McCrea, Brenda Marshall, Jeffrey Lynn, George Bancroft)

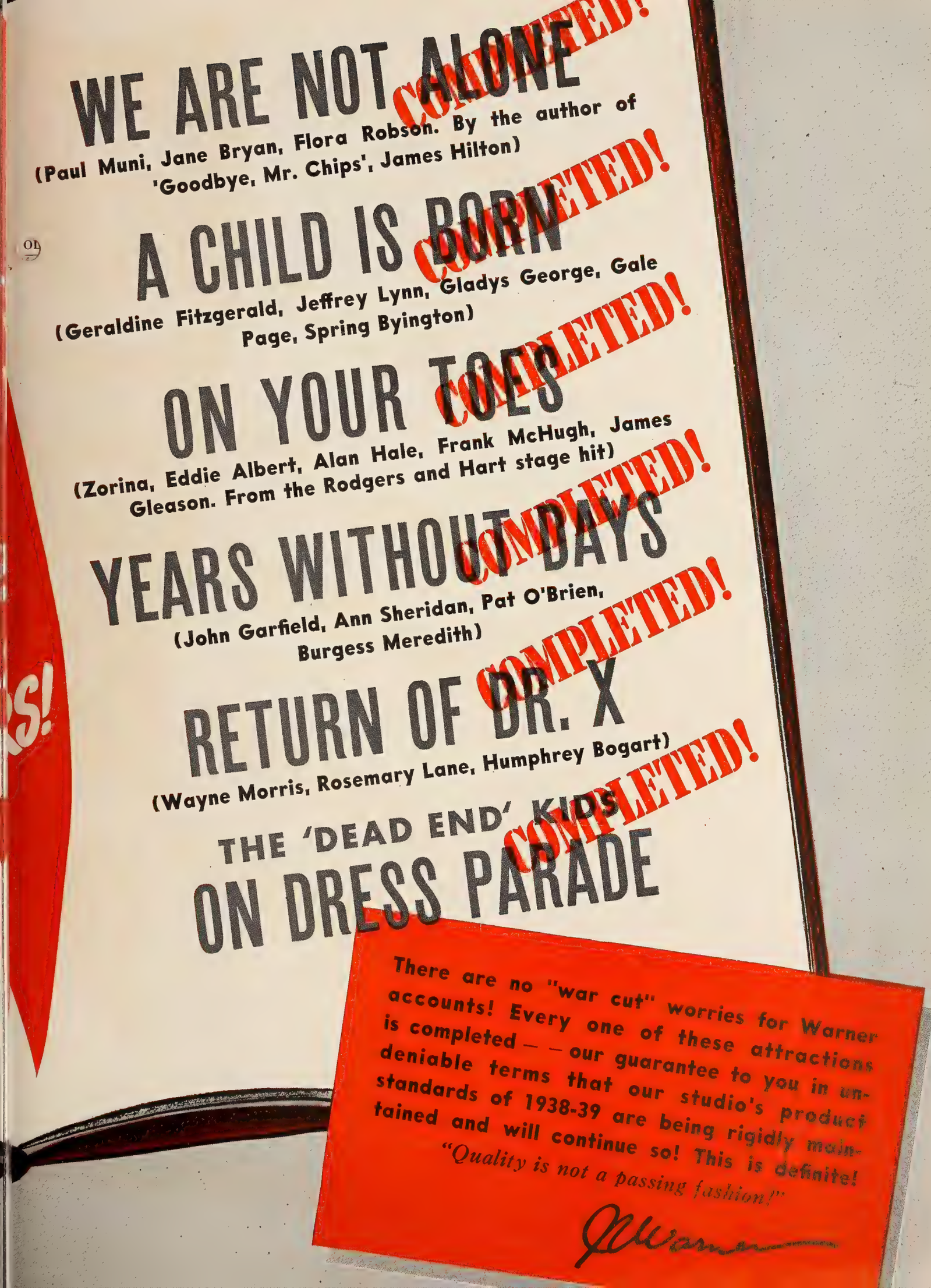
PRIDE OF THE BLUEGRASS

COMPLETED!

(Starring Gantry, the blind horse. The most unusual dramatic idea of the year!)

WHAT A PRODUCT STORY IT TELLS FOR WARN

JACK L. WARNER *In Charge of Production* • HAL B. WALLIS *Executive Produce*


WE ARE NOT ALONE
COMPLETED!
(Paul Muni, Jane Bryan, Flora Robson. By the author of 'Goodbye, Mr. Chips', James Hilton)
A CHILD IS BORN
COMPLETED!
(Geraldine Fitzgerald, Jeffrey Lynn, Gladys George, Gale Page, Spring Byington)
ON YOUR TOES
COMPLETED!
(Zorina, Eddie Albert, Alan Hale, Frank McHugh, James Gleason. From the Rodgers and Hart stage hit)
YEARS WITHOUT DAYS
COMPLETED!
(John Garfield, Ann Sheridan, Pat O'Brien, Burgess Meredith)
RETURN OF DR. X
COMPLETED!
(Wayne Morris, Rosemary Lane, Humphrey Bogart)
THE 'DEAD END' KIDS
ON DRESS PARADE
COMPLETED!
There are no "war cut" worries for Warner accounts! Every one of these attractions is completed — — our guarantee to you in undeniable terms that our studio's product standards of 1938-39 are being rigidly maintained and will continue so! This is definite!
"Quality is not a passing fashion!"
J. L. Warner

Minneapolis Gives 'Rains' Big $10,000

MINNEAPOLIS, Oct. 4.—Best business getter in Minneapolis was "The Rains Came" at the State, with $10,000.

In St. Paul, the Orpheum took the lead, with $7,500 for "$1,000 a Touchdown" and Benny Goodman on the stage.

Estimated takings for the week ending Sept. 29:

Minneapolis:

"Chicken Wagon Family" (20th-Fox)
"Death of a Champion" (Para.)
"Jones Family in Quick Millions" (20th-Fox)
"Hidden Power" (Col.)
ASTER—(900) (15c-25c) 7 days dual bills. Gross: $1,600. (Average, $1,500)
"Beau Geste" (Para.)
CENTURY—(1,600) (25c-40c) 7 days, 2nd week. Gross: $2,700. (Average, $4,000)
"The Angels Wash Their Faces" (W. B.)
GOPHER—(990) (25c) 7 days. Gross: $3,500. (Average, $3,500)
"Irish Luck" (Mono.)
MINNESOTA—(4,300) (15c-30c) 7 days. Stage show. Gross: $7,500. (Average, $6,000)
"Fifth Avenue Girl" (RKO)
ORPHEUM—(2,900) (25c-40c) 7 days, one day with Eddie Dunstedter on stage. Gross: $6,000. (Average, $4,800)
"The Rains Came" (20th-Fox)
STATE—(2,300) (25c-40c) 7 days. Gross: $10,000. (Average, $4,400)
"Lucrezia Borgia" (European Films Corp.)
TIME—(300) (25c-35c) 7 days. Gross: $800. (Average, $700)
"Four Feathers" (U. A.)
WORLD—(400) (25c-40c) 7 days, 4th week. Gross: $1,400. (Average, $1,600)

St. Paul:

"$1,000 a Touchdown" (Para.)
ORPHEUM — (2,000) (35c-55c) 7 days, Benny Goodman on the stage. Gross: $7,500. (Average without stage show, $3,200)
"The Rains Came" (20th-Fox)
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $5,500. (Average, $4,400)
"I Stole a Million" (Para.)
RIVIERA—(1,000) (25c) 7 days. Gross: $2,000. (Average, $1,800)
"Forgotten Woman" (Univ.)
"Torchy Plays With Dynamite" (W. B.)
"Five Little Peppers" (Col.)
"Hidden Power" (Col.)
TOWER—(1,000) (25c) 7 days. Split week dual bills. Gross: $2,000. (Average, $1,600)
"Four Feathers" (U. A.)
WORLD—(400) (25c-55c) 7 days, 2nd week. Gross: $1,400. (Average, $700)

Momand Suit Trial Will Start on Dec. 11

OKLAHOMA CITY, Oct. 4.—At a hearing before Federal Judge A. P. Murrah, Nov. 14 was set for the pre-trial conference and Dec. 11 for the trial of the case on its merits in A. B. Momand's application for an injunction to force distributors to sell him second run product in Shawnee, Okla., where he operates the Odeon.

Griffith Amusement Co. operator of three houses in Shawnee, in opposition to the Odeon, has denied that it is attempting to stop competition from the Odeon, in an answer filed in Federal District Court to the suit brought by Oklahoma Theatres, Inc., operators of the Odeon.

Exhibit Film Process

NEW HAVEN, Oct. 4.— Showing the process of filming important works of literature and the works of the many allied craftsmen and professional men, a special exhibit of 100 photos is on display at the Public Library here. The exhibit was loaned by the Cleveland Public Library, and is especially concerned with "The Women," "Westward Passage" and "Gone With the Wind."

Theatre, Personnel Notes

Reade Shifts Men

Emanuel Reisler has resigned as district manager for the Walter Reade Theatres in New York to enter the hotel supply business in Miami. Seymour Bagatelle, former booker and district manager for the Morse Rothenberg Circuit in Boston, takes over the post with headquarters at the City Theatre.

Management changes in Reade houses in Asbury Park include: Harold Van Vorst shifted from the St. James to the Savoy, succeeding Glendon Redden, resigned; Malcolm Marshall from the Paramount to the St. James; Richard Mooney from the Lyric to the Paramount, and John Kennedy, assistant manager of the Community, Morristown, N. J., to the Lyric.

Plans New Marquee

COTTER, Ark., Oct. 4.—Herbert Pittman, manager of the Paradise theatre, will install a new marquee and a large neon sign in the near future.

Southwestern Changes

OKLAHOMA CITY, Oct. 4.—William Moran, partner in Southwestern Theatres, Inc., has made the following changes in personnel: Ralph Pulliam, manager of the Isis, Oklahoma City, resigned and gone to California, replaced by Tobey Wilson, formerly manager of the Palace in Tulsa; C. J. Mercer, former manager of the Cameo in West Tulsa in charge of the Palace in Tulsa; Gene Hayes now in charge of the Cameo in West Tulsa.

House to Famous Players

TORONTO, Oct. 4.—Famous Players Canadian Corp. has leased the New Theatre, Brockville, Ont., from Ritchie and Dobie of Brockville, who have been rebuilding the theatre which was destroyed by fire two years ago. The structure has been standing idle. The unit was formerly the Opera House, owned by the City of Brockville.

Hold Drive-In Theatre

CLEVELAND, Oct. 4.—At the request of invalids unable to attend indoor show-houses, the Drive-In Theatre, East Side automobile theatre, will remain open until Nov. 1.

Buys Oklahoma Theatre

OKLAHOMA CITY, Oct. 4.—Roy Rollier has purchased the Tiffin at Billings, Okla., from Louis Carlton. Rollier is operator of the Meta, a 350-seat house at Lamont, Okla. The Tiffin seats 250.

Manages Arkansas House

ASKDOWN, Ark., Oct. 4.—William Frazier is the new manager of the New Dixie. Jewell Calahan, former manager, has been transferred to the management of a theatre at Broken Bow, Okla.

Refinance Neth Holdings

COLUMBUS, O., Oct. 4.—Completing a refinancing program, the J. Real Neth Theatres, operating the Eastern, Markham, Clinton, State, Lincoln and Cameo, all Columbus, O., neighborhood units, has given a $245,000 property mortgage to the City National Bank and Trust Co., cancelling one for $265,000, and another for $165,000. A chattel mortgage for $245,000 also was given the bank as additional collateral behind the mortgage.

Open Ohio Theatre

CLEVELAND, Oct. 4.—A. G. Schwartz and J. H. Shulman, Cleveland circuit owners, have opened their newest house in nearby Painesville, where they already operate two other houses. Their newest, the Lake, will have as its resident manager Harold Kay.

'Rains Came' Draws $10,000 in Montreal

MONTREAL, Oct. 4. — "The Rains Came" was the hit show of the week, bringing $10,000 to the Palace. "Dust Be My Destiny," on a dual at the Capitol, took $4,500 for its second week. The weather was cool and wet.

Estimated takings for the week ending Sept. 29:

"Dust Be My Destiny" (W. B.)
"Everybody's Hobby" (20th-Fox)
CAPITOL — (2,547) (25c-40c-55c-65c) 7 days, 2nd week. Gross: $4,500. (Average, $8,000)
"Stanley and Livingstone" (20th-Fox)
LOEW'S—(2,800) (30c-40c-60c) 7 days, 3rd week. Gross: $2,900. (Average, $8,000)
"They Shall Have Music" (U. A.)
ORPHEUM—(919) (25c-35c-50c) 7 days, 2nd week. Gross: $1,900. (Average, $5,000)
"The Rains Came" (20th-Fox)
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $10,000. (Average, $10,000)
"The Angels Wash Their Faces" (W. B.)
"Torchy Plays With Dynamite" (W. B.)
PRINCESS — (2,272) (25c-35c-50c-65c) 7 days. Gross: $4,400. (Average, $6,500)

British Quota Stand Worries Producers

(*Continued from page 1*)

ernment has reached no final decision as yet on the action which may radically alter the position of the film market and upset the basis of the present Films Act.

Meanwhile, it is expected that a complete schedule for operation of theatres in the West End of London will be issued this week. It is expected to be basically a scheme of staggered openings, providing two groups of five houses each one open until 6 P. M., the other until 10 P. M., on alternate weeks.

Newsreel theatres are expected to receive approval for opening at all times. Legitimate theatres in the area are operating under the same plan, with openings permitted until 8 P. M. and 11 P. M., by two groups. The formal Home Office order is now awaited.

Holdovers Continue Broadway Strength

(*Continued from page 1*)

was an estimated $54,000. The picture is going a third week.

"The Women" continued as a strong attraction in its second week with an estimated $45,000 and is held for a third and final week at the Capitol. At the Rivoli, "The Real Glory" produced an estimated $18,000 in its third week and will go eight more days. "Goodbye, Mr. Chips" dropped off somewhat in its 20th week with an estimated $7,500, but no closing date has been set yet. At the Globe, "Torpedoed" drew an estimated $8,600.

'Avenue' Is Los Angeles Hit, $22,400

LOS ANGELES, Oct. 4.—"Fifth Avenue Girl" and "Hawaiian Nights" was the best bet here, grossing a total of $22,400 at two houses, $11,500 at the Hillstreet and $10,900 at the Pantages. There were no other outstanding bills in the city.

Estimated takings for the week ending Oct. 4:

"Thunder Afloat" (M-G-M)
"These Glamour Girls" (M-G-M)
CHINESE — (2,500) (30c-$1.00) 7 days. Gross: $10,500. (Average, $12,500)
"Four Feathers" (U. A.)
4 STAR—(900) (40c-50c) 6 days, 7th week. Gross: $2,400. (Average, $3,250)
"Fifth Avenue Girl" (RKO)
"Hawaiian Nights" (Univ.)
HILLSTREET—(2,700) (30c-65c) 7 days. Gross: $11,500. (Average, $6,500)
"Thunder Afloat" (M-G-M)
"These Glamour Girls" (M-G-M)
LOEW'S STATE—(2,500) (30c-$1.00) 7 days. Gross: $15,400. (Average, $14,000)
"Fifth Avenue Girl" (RKO)
"Hawaiian Nights" (Univ.)
PANTAGES—(3,000) (30c-65c) 7 days. Gross: $10,900. (Average, $7,000)
"All Quiet on the Western Front" (Univ.)
"$1,000 a Touchdown" (Para.)
PARAMOUNT—(3,595) (30c-65c) 7 days. Gross: $12,000. (Average, $18,000)
"Dust Be My Destiny" (W. B.)
"The Hidden Staircase" (W. B.)
WARNER BROS. (HOLLYWOOD) — (3,000) (30c-65c) 7 days. Gross: $10,000. (Average, $14,000)
"Dust Be My Destiny" (W. B.)
"The Hidden Staircase" (W. B.)
WARNER BROS. (DOWNTOWN) — (3,400) (30c-65c) 7 days. Gross: $11,200. (Average, $12,000)

Protest CIO Charter To Theatrical Union

Operators Union, Local 306, plans a protest to national C.I.O. offices unless the United Retail & Wholesale Employees of America, a C.I.O. international union, takes steps to revoke the charter granted to United Theatrical and M. P. Service Employees Union, Local 258.

The latter union, headed by Bernard Deckoff, was originally chartered for ushers, cashiers and doormen, but its jurisdiction has been expanded to include projectionists.

An official 306 spokesman declared yesterday that a conference had been held Friday between Joseph D. Basson, 306 president; Richard Scott, organizer; Samuel Wolchack, president of U. R. & W. E., and Morris Feinstone, president of United Hebrew Trades, and that Wolchack had stated then that no charter had been granted. However, Deckoff exhibited the charter yesterday and stated that he was prepared to organize all unorganized employees connected with film houses.

Edison's Widow On Air Program

A coast-to-coast NBC-Red network will carry the speech of Mina M. Edison Hughes, widow of Thomas A. Edison, Friday from 1:15 to 1:30 P. M. as part of the industry's 50th Anniversary Week celebration.

The broadcast falls on the 50th anniversary of Edison's completion of the Kinetoscope. The film department of the N. Y. State Federation of Women's Clubs is sponsoring the talk.



WHAM! HE'S THROWING ONE NATURAL AFTER ANOTHER!

And Now! Just Previewed!

Not only has Leo come through
With another smash hit, but
It's a LAUGHING hit!
You know what that means—
The folks want to forget
And here's the show that's a
Tonic for headline headaches!
Sell it BIG with this slogan:
"KEEP THE WORLD LAUGHING!"
They'll howl! They'll shriek!
And you start yelling now about
MARX BROS. "AT THE CIRCUS."



with KENNY BAKER, FLORENCE RICE, EVE ARDEN
MARGARET DUMONT, NAT PENDLETON • Screen Play by Irving Brecher • Directed by Edward Buzzell
A MERVYN LEROY Production • An M-G-M Picture

WORLD PREMIERE ENGAGEMENT
Aldine, Philadelphia DOES 200%
OF PREVIOUS WEEK'S BUSINESS—

"The best Selznick picture since 'A Star Is Born' ". —*Philadelphia Daily News*

"Hollywood finally has found the Garbo it's been looking for. She's Ingrid Bergman . . . younger, stronger, freer and possessed of that same intellectual coolness which combined with an inner flame makes a Garbo."
—*Philadelphia Record*

"Strongly appealing and intensely interesting." —*Philadelphia Inquirer*

"A film of power and beauty. Miss Bergman is the screen's most interesting new personality."—*Philadelphia Record*

"Should be given the finest rating of any picture made in many a day. The most perfect job this reviewer has ever seen. Leslie Howard magnificent."
—*Hollywood Reporter*

"Leslie Howard's finely drawn and sensitive performance is exquisitely suited to the material." —*Hollywood Citizen*



SELZNICK INTERNATIONAL
presents

LESLIE HOWARD
STAR OF "PYGMALION"

in

INTERMEZZO
A Love Story

introducing

INGRID BERGMAN

Produced by DAVID O. SELZNICK
Directed by Gregory Ratoff
Associate Producer Leslie Howard

RELEASED THRU UNITED ARTISTS

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 68 NEW YORK, FRIDAY, OCTOBER 6, 1939 TEN CENTS

FILE COPY

Murphy Will Study Coast Probe Facts

No Indictments Until He Examines Testimony

LOS ANGELES, Oct. 5.—Before any indictments are returned, U. S. Attorney General Frank Murphy will first study the complete transcription of testimony before the Federal grand jury which is investigating the alleged existence of income tax evasion and labor racketeering in the film industry.

Assistant Attorney General Charles H. Carr, in charge of the local investigation, said that when the grand jury finishes hearing all of the testimony, he will go to Washington with the transcript and present it to Murphy who will determine future procedure.

Called this morning before the jury were Joseph Carpenter and Guy Cooper, deposed officers of Studio Technicians local 37, I.A.T.S.E., and H. K. Sorrell, business representative of the Motion Picture Painters local 644, with which I.A.T.S.E. has had jurisdictional disputes.

At the afternoon session testimony was taken from Pat Casey and Victor Clarke, producers' labor contact officers; Harry M. Warner and Harry Cohn.

The grand jury will resume the task of listening to additional testimony next Wednesday when more major executives in the film industry will be questioned.

Hays Tonight Gives Eulogy on Laemmle

Will Hays will deliver an eulogy on "My Friend, Carl Laemmle, the Pioneer," at a memorial service at 8:15 P. M. today at the West End Synagogue, 160 W. 82nd St. Rabbi Nathan Stern will officiate. A similar service will be held tonight in Chicago.

The honorary committee which arranged tonight's service in New York includes Leo Abrams, Barney Balaban, Sam Shain, Nate J. Blumberg, Jack Cohn, Ned E. Depinet, James R. Grainger, Hal Hode, Maurice Kann, Jules Levy, Sam Morris, B. S. Moss, Herman Robbins, E. M. Saunders, Nicholas M. Schenck, Jack Schlaifer, Peter Siebel, Herman Stern and Major Albert Warner.

The Pacific Body of Masons, of which Laemmle was a member, will be represented at tonight's service.

Warner Studio Post Looms for Sam Sax

Discussions are under way here whereby Sam Sax will be given a production post at the Warner Bros. studio. Details are being worked out between Sax and Jack L. Warner, vice-president in charge of production.

Sax returned late last week from London where for five months he was chief of Warners' production at Teddington studios. Previously, he had been in charge of Vitaphone shorts production in the East.

Fox West, Warners Ready to Sign Deal

HOLLYWOOD, Oct. 5. — Warner Brothers and Fox West Coast Theatres have patched up their differences, and a deal for this large circuit to take Warners' 1939-'40 season product will be consummated within the next few days.

Carl Lesserman, aid to Gradwell Sears, Warners' general sales manager, arrived here today to start conferences with Charles Skouras, Fox West Coast head, and his associates for completion of agreements, the foundation for which was laid in New York.

With Lesserman will be W. E. Callaway, Warners' Coast sales manager. Lesserman said he expects to stay here two to three weeks and then return to New York.

Japan Adopts New Film Import Rules, Effective on Jan. 1

A new deal for the import of American films into Japan is being worked out with the Japanese ministry of finance and will go into effect Jan. 1 for one year. The new regulations will be governed by the necessity of Japan to maintain its exchange, says Del Goodman, Far East manager for 20th Century-Fox, who is visiting in New York.

The new terms being discussed are for the remittance of a limited amount of money plus print cost. The number of films to be permitted under the agreement has not been made known.

Under the present agreement, American companies are permitted the distribution of 150 features a year in Japan. A large part of the accumulated revenue is impounded at the San Francisco branch of the Yokohama Specie Bank. This will be payable to the film companies next year at the legal rate of exchange.

The current pact, which expires Dec. 31, is an extension of a previous one-year agreement.

Chief difficulties of the American companies are remittances and limitation of imports, resulting from currency exchange problems.

Despite all this, Japan is the leader in the 20th Century-Fox foreign standings. Goodman says India is the best market in the Far East. India has no restrictions on film imports, but the duty is high.

The Chinese market has been limited largely to the seaport zones of Hong Kong, Tsientsin, Shanghai and

(Continued on page 7)

Will Rogers Fund Check To Gen. Johnson Today

Gen. Hugh S. Johnson, who acted as chairman of the recent infantile paralysis campaign in Greater New York, will be presented a check for $14,595 by the Will Rogers Memorial Commission, at a luncheon today at the Rockefeller Center Luncheon Club. The money will be devoted to New York children's institutions.

The contribution is from a fund of $50,000 allocated by the Commission for aid to institutions caring for handicapped children. This sum will be divided among 25 different communities.

Through this activity the Commission is extending its philanthropies, chief of which is the Will Rogers Memorial Hospital at Saranac Lake, N. Y.

Local disbursements to children's institutions will be made in cooperation with chapter chairmen of the Infantile Paralysis Foundation.

The luncheon today is given to General Johnson by film executives, and the presentation will be made by a committee headed by Owen D. Young, representing the Commission; Will H. Hays, as spokesman for the film industry, and L. E. Thompson of RKO, chairman of the Will Rogers National Theatre Week, fund gathering agency sponsored by theatre owners.

Guests at the luncheon, including representatives of the industry, the Memorial Commission and the Infantile Paralysis Foundation, will be: Barney Balaban, Spyros P. Skouras,

(Continued on page 2)

Screen Guilds To Take Stand On Wage Cuts

Writers, Directors Order Meetings Monday

HOLLYWOOD, Oct. 5.—The Screen Directors Guild and Screen Writers Guild will determine at simultaneous meetings Monday night on the course to be taken with respect to salary reductions.

The S.D.G. stand will be revealed following a board of directors meeting at the office of the guild, when an answer to Samuel Goldwyn's invitation for the guilds to participate in a round table discussion of problems raised by the war emergency is to be drafted and the guild may issue a statement declaring its stand against the wage slash.

The Screen Writers' Guild position is to be defined at a general meeting of the membership at the Hollywood Roosevelt Hotel. Executives of both guilds have indicated their organizations will line up more or less directly with the Screen Actors Guild, which yesterday mailed to members a letter stating the guild views and recommended for presentation by individuals to such employers as have sought or may broach a revision of existing contract scales downward.

The S.A.G. letter, signed by Executive Secretary Kenneth Thomson, read in part:

"We feel that it is the right of actors to have a complete knowledge of the effects of the war, if any, on

(Continued on page 2)

Broadcast Today On Golden Jubilee

The film industry's 50th Anniversary Week celebration will be climaxed today with a broadcast over a nationwide NBC-Red hookup from 1:15 to 1:30 P. M. by Mrs. Mina M. Edison Hughes, widow of Thomas A. Edison.

Today is the 50th anniversary of the completion by Edison of the Kinetoscope, the forerunner of the modern screen, on Oct. 6, 1889. The film department of the N. Y. State Federation of Women's Clubs is sponsoring the talk.

The anniversary celebration during the past week has included local celebrations in various parts of the country. Theatre advertising and publicity campaigns have made extensive use of the anniversary to attract the public's attention to this season's product.

SEC Reports Transactions In Film Stock

WASHINGTON, Oct. 5.—Acquisition of 500 Universal Corp. common voting trust certificates by Nathan J. Blumzerg, president, bringing his holdings to 3,000, was reported today by the Securities and Exchange Commission in its semi-monthly summary of August transactions by officers and directors in the stocks of their corporation.

Also in Universal Corp., Charles D. Prutzman, vice-president, reported the acquisition of 100 common voting trust certificates, bringing his holdings to 500, and in Universal Pictures, Mr. Prutzman reported the acquisition of 10 shares of first preferred stock, constituting his entire holdings in that class.

Loew's, Inc., which for some time has been buying in the common stock of Loew's Boston Theatres, reported the acquisition of another 68 shares, bringing its holdings to 99,860 shares.

The only other trades reported were the disposition of 200 shares of Monogram Pictures common stock by George W. Weeks, vice-president, through Monogram Pictures, Inc., reducing his holdings to 800 shares; and the disposition of 100 shares of Pathe Film common by Kenneth M. Young, reducing his holdings to 300 shares.

Transactions in Columbia Broadcasting System stock included the disposition of 500 shares of Class A by Mefford R. Runyon, officer, reducing his holdings to 846 shares, and disposition, by gift, of 238 shares of Class B by Leon Levy, Philadelphia, director, who held 43,267 shares of that class and 37,850 shares of Class A at the close of the month.

'Rains' Cleveland Winner at $15,000

CLEVELAND, Oct. 5. — "The Rains Came" grossed $15,000 at Warner's Hippodrome to lead the city. "Thunder Afloat" at Loew's State attracted $14,000.

Estimated takings for the week ending Sept. 28:

"The Old Maid" (W. B.)
ALLEN—(3,000) (30c-35c-42c) 7 days, 3rd week. Gross: $3,500. (Average, $4,000)

"The Rains Came" (20th-Fox)
WARNER'S HIPPODROME — (3,800) (30c-35c-42c) 7 days. Gross: $15,000. (Average, $11,000)

"Blondie Takes a Vacation" (Col.)
RKO PALACE—(3,100) (30c-42c-55c) 7 days. Louis Armstrong and stage revue. Gross: $14,000. (Average, $14,000)

"Thunder Afloat" (M-G-M)
LOEW'S STATE—(3,500) (30c-35c-42c) 7 days. Gross: $14,000. (Average, $11,000)

"The Women" (M-G-M)
LOEW'S STILLMAN—(1,900) (30c-35c-42c) 7 days, 3rd week. Gross: $3,500. (Average, $4,000)

Hearing Postponed

Hearing before the State Labor Relations Board on the complaint of M. P. Division of Theatrical Managers, Agents and Treasurers Union against the Endicott circuit (Nelson & Renner) was adjourned yesterday and set peremptorily for Tuesday at 10 A.M. The Raybond circuit (Dave Weinstock) matter will be continued Monday.

Purely Personal

LEO SPITZ arrives here today from Chicago.

•

SAM ROSENBLATT, until recently operator of the Family at Watervliet, N. Y., was tendered a luncheon at Joe's Restaurant, Albany, in honor of his forthcoming marriage in New York. Chairman was MORRIS COHEN, Columbia salesman.

•

ROBERT GARLAND, district manager for Fox Intermountain, is recovering in Denver from injuries sustained when his car hit a dead horse near Montrose, Col. It was necessary to amputate GARLAND'S left arm in order to save his life.

•

JOHN BALABAN, B. & K. head, who is here from Chicago, spent yesterday at the World's Fair. He leaves for Chicago this week end with WALTER IMMERMAN and MORRIS LEONARD, who also have been visiting here.

•

WILLIAM J. SCULLY, general sales manager, and F. J. A. MCCARTHY, eastern sales manager of Universal, are in Dallas today and expect to return to the home office on Wednesday.

•

SID BLUMENSTOCK of the 20th Century-Fox publicity department is the father of a daughter, CORALIANN, born on Tuesday to MRS. BLUMENSTOCK at the Women's Hospital.

•

HUNTER PERRY of Charlottesville, Va., and A. H. BLANK of Des Moines have left New York following a few days visit at the Paramount home office.

•

EARL HUDSON, manager of United Detroit Theatres, is in New York for conferences at the Paramount home office.

•

WILLIAM LE BARON, Paramount production head, leaves for the Coast by plane today after a two weeks vacation here.

•

ELEN ROSEN, secretary to MEL EVIDON, manager of the Denver Columbia exchange, is on a two-week vacation.

•

SONNY SHEPARD of the Wometco Theatres, Miami, is a New York visitor.

•

TED Z. HALMI, publicity director for the Orpheum in Denver, a Hungarian by birth, has become an American citizen.

•

EARLE W. HAMMONS, Educational-Grand National president, is in Washington on business today.

•

VINCENT MCFAUL of Buffalo is in New York for conferences at the Paramount home office.

•

H. M. RICHEY, director of exhibitor relations for RKO, returns today from Michigan.

•

S. CHARLES EINFELD, Warners advertising and publicity director, is due soon from the coast.

•

JOE E. BROWN left for Cincinnati yesterday with the World Series contenders.

•

MRS. IRVING ASHER and her two children are now in Hollywood.

SAM E. MORRIS left the city yesterday for a long rest at his country home at Lakeville, Conn.

•

HERMAN ROBBINS, TOBY GRUEN, JOHN HICKS, RUSSELL HOLMAN, GEORGE WELTNER, RALPH COHN, E. K. O'SHEA, LEON NETTER, ED SAUNDERS, TOM CONNORS, MAX A. COHEN and ARTHUR MAYER lunching at Nick's Hunting Room in the Astor yesterday.

•

GEORGE KALLMAN, RKO manager in Chile, returns to his Santiago headquarters today after a three-week visit here.

•

MONROE GREENTHAL made a bet on the Cincinnati Reds yesterday morning that could have been had in the afternoon at fire-sale discount.

•

AL SHERMAN of Columbia is vacationing in Florida.

Will Rogers Fund Check to Johnson

(Continued from page 1)

Joseph Bernhard, Charles C. Moskowitz, Leon Netter, John J. O'Connor, W. C. Van Schmus, Irving Lesser, John C. Wright, Harry Brandt, George P. Skouras, S. H. Fabian, J. R. Springer, Fred Schwartz, Walter Vincent, Samuel Rinzler, Walter Trumbull, Harry H. Buxbaum; Capt. E. V. Rickenbacker, Col. Joseph M. Hartfield, James G. Blaine, J. Henry Walters, Harold Rodner, John W. Elwood, A. P. Waxman, Basil O'Connor, Keith Morgan, Tom Wrigley, and George V. Reilly.

Disbursements will be made simultaneously today in these 17 additional cities: Los Angeles, San Francisco, Hartford, Chicago, Detroit, Springfield, Boston, Kansas City, Hoboken, Cleveland, Oklahoma City, Tulsa, Houston, Dallas, Milwaukee, Portland and Seattle.

The remaining seven communities will receive their allotments next week. These are Newark, New Orleans, St. Louis, Cincinnati, Philadelphia, Pittsburgh and Washington, D. C.

'Eternally Yours' Opening at Roxy

"Here I Am a Stranger" grossed an estimated $31,000 in its week at the Roxy. "Eternally Yours" opens today.

At the Strand, "Espionage Agent" drew an estimated $33,000 in its second week. "Dust Be My Destiny" begins a two-week engagement there today and will be followed by "On Your Toes," for three weeks, and "The Roaring Twenties" comes next.

"Intermezzo" collected $14,500 on its opening day yesterday at the Music Hall.

Heads Warner Club

ALBANY, Oct. 5.—Max Friedman, booker in the Warner Theatres district office here, was elected president of the Capital District Warner Club at the opening Fall meeting here. Other officers are: James Moore, Walter Stur and John Keenan, vice-presidents; Mrs. Ruth Milberg, secretary: Bert Windelspecht, treasurer, and James P. Faughman, chairman of contributions and loans.

Screen Guilds To Take Stand On Wage Cuts

(Continued from page 1)

the motion picture industry. We believe the actors should learn from their own representatives the exact of the emergency, if any. We believe actors should know exactly what every other branch of the industry, including distribution and exhibition, is prepared to sacrifice, if necessary, to meet any crisis.

"We do not believe that a percentage cut of the salaries of the talent groups is the answer. Your organization is prepared to go fully into the matter and announce its findings and recommendations. Until the producers have accepted our offer and such investigation is completed, we do not feel it encumbent upon you as an individual to make any decision regarding reduction of your salary."

Allied Picks Officers In Massachusetts

BOSTON, Oct. 5.—Samuel Pinanski has been elected president of Allied Theatres of Massachusetts, Inc. Vice president is John H. Devlin, treasurer is Stanley Sumner and secretary is Joseph H. Brennan.

Directors include the officers and M. J. Mullin, E. A. Cuddy, H. M. Addison, Fred Greenway, Harry McDonald, Benjamin Domingo, Max Melincoff, H. E. Hoffman, John J. Ford, John S. Giles, James H. Doyle and Walter A. Brown.

The executive board includes Samuel Pinanski, M. J. Mullin, Harry McDonald, Max Melincoff, John J. Ford, Stanley Sumner, Joseph H. Brennan, H. M. Addison and John H. Devlin.

The advisory committee is composed of: Abner Eilenberg, George A. Ramsdell, Francis C. Lydon, Philip Bloomberg and Nathan Goldstein.

'Mr. Smith' Goes Oct. 19

Columbia has set Oct. 19 as the national release date for Frank Capra's "Mr. Smith Goes to Washington."

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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You've seen it (3,411 of you) now you know

"HOLLYWOOD CAVALCADE" IS THE MOST SENSATIONAL BOX-OFFICE ATTRACTION THAT EVER HIT THIS INDUSTRY!

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

War Imposes Burdens Upon Canada Trade

TORONTO, Oct. 5.—According to a compilation by film exchanges, the cost of advertising accessories has already been increased 15 per cent because of the war.

The difference in the rate of exchange is fixed by the Canadian Government at 11 per cent and payments to the states must be "purchased" at this premium. Besides this extra charge, the policy adopted by the Customs and Excise Branch of the Department of National Revenue has brought about a further increase of four per cent.

This method consists of adding the 11 per cent premium on U. S. money to the face value of invoices for goods imported from the states because the prices quoted are ruled to be in American funds. This premium is added to the invoice before the duties are computed with the result that really a surtax is being imposed on the shipments through the levying of the tariff on U. S. quoted value plus the currency premium.

Apart from this advance, film companies in the Dominion expect to contribute heavily in the increased levies on surplus funds from film rentals to home offices in the United States and in the excess profits tax which has been instituted as a war revenue measure. Then there are restrictions on the sending of money out of the country above a monthly quota of $500 per month, a license system having been applied for the purpose.

These details have added to operating expenses while office staffs are working overtime in an effort to keep pace with the filling out of numerous application forms and records as required by the Foreign Securities Control Board of the Dominion Government.

Circuit Sues to Halt Reopening of House

OMAHA, Oct. 5.—Tri-States Theatres has asked the Federal Court here to issue a restraining order to keep R. D. Goldberg, local circuit owner, from reopening the State, dark for many years.

The house is near Tri-States' Omaha and Orpheum in the downtown business section. Goldberg had announced the house would open this month and said A. L. Kaplan would be operator.

The petition names Goldberg and five corporations he is said to control. One is the World Realty Co., which holds a 99-year lease on the Omaha.

Tri-States alleges that the realty firm agreed in 1934, when it sublet the Omaha to Tri-States for 10 years, to keep the State closed during that time. Plaintiffs also point out they have spent $60,000 in improvements on the Omaha.

Colgate Adds Stations

Colgate-Palmolive-Peet, for the Wayne King broadcasts, has added 12 CBS stations and 29 stations of the Canadian Broadcasting Corp. The account is handled in this country by Benton & Bowles and in Canada by Lord & Thomas.

Feature Reviews

"Fast and Furious"

(M-G-M)

HOLLYWOOD, Oct. 5.—Comedy, mystery, complications that disharmonize marital romance, bathing beauty glamour and slapstick foolishness involving a bunch of tame lions are the elements that make "Fast and Furious" funny and exciting. The item is a member of M-G-M's "Fast And . . ." family, but a good deal of imagination stretching is required to connect the episode with its two predecessors. Still, it's amusing entertainment, even if at times extraneous material is hauled in to provoke laughs.

Franchot Tone and Ann Sothern are starred as Ruth Hussey, Lee Bowman, Allyn Joslyn, John Miljan, Mary Beth Hughes and Bernard Nedell head the supporting cast that screened Harry Kurnitz' story. Busby Berkeley directed under Frederick Stephani's production supervision.

This time there is nothing scholarly involved in the adventures and exploits of Tone, as the rare book dealer and amateur detective "Sloane." Becoming involved in the financing of a bathing beauty contest, his wife, Miss Sothern, selects the pageant's site as their vacation spot. While Tone's close contact with the beauty contestants stirs wifely ire, murder of promoter Miljan, vanishing of funds, a skein of clues, a platoon of suspects, the killing of the possible killer and the threat of lions ensconsed in a bedroom build melodramatic mystery, seasoned with nonsense. Tone, of course, pins the guilt for the two slayings on the totally unsuspected culprit.

Running time, 70 minutes. "G."* G. McC.

"Sabotage"

(Republic)

"Sabotage" is a routine story of a foreign spy ring which is engaged in an effort to cripple airplane production in this country. Although the film is slow getting under way, the story does manage to develop some tense moments. Exploitation should be directed to attract current interest in the war and the possibilities of sabotage.

Gordon Oliver, a mechanic in a plane factory, is arrested and falsely accused of sabotage. The arrest takes place on the day he was to be married to Arleen Whelan, a singer stranded in Oliver's town when her show closed. Charley Grapewin, as Oliver's father, goes to the rescue and, with the aid of the inmates of an old soldiers' home, proves his son's innocence and obtains confessions from the spies.

The original screenplay was written by Lionel Houser and Alice Altschuler. Harold Young provided the direction. Herman Schlom was associate producer.

Running time, 69 minutes. "G."* EDWARD GREIF

**"G" denotes general classification.*

'Rains' Hits $6,500 In Oklahoma City

OKLAHOMA CITY, Oct. 5.—"The Rains Came" drew a strong $6,500 at the Criterion to lead the town's grosses. "Thunder Afloat" accounted for $5,000 at the Midwest. The weather continued hot and dry, and a state fair did not seem to hurt business.

Estimated takings for the week ending Sept. 28:

"The Rains Came" (20th-Fox)
CRITERION—(1,500) (25c-35c-40c) 7 days. Gross: $6,500. (Average, $5,200)
"The Day the Bookies Wept" (RKO)
"Mutiny on the Blackhawk" (Univ.)
LIBERTY—(1,200) (15c-20c-25c) 7 days. Gross: $2,800. (Average, $2,500)
"Thunder Afloat" (M-G-M)
MIDWEST—(1,500) (25c-35c-40c) 7 days. Gross: $5,000. (Average, $4,200)
"Bachelor Mother" (RKO)
PLAZA—(750) (25c-35c-40c) 7 days, 2nd week. Gross: $1,800. (Average, $1,100)
"Those High Gray Walls" (Col.) 3 days
"Gow" (Salisbury Prod.) 4 days
"Mr. Wong in Chinatown" (Mono.) 4 days
STATE—(1,100) (15c-20c-25c) 7 days. Gross: $2,500. (Average, $2,500)
"Two Bright Boys" (Univ.) 3 days
"San Francisco" (M-G-M) 4 days
TOWER—(1,000) (25c-30c-35c) 7 days. Gross: $1,000. (Average, $2,000)

Canada Clearance Answer Is Delayed

TORONTO, Oct. 5.—No definite reply has been received as yet by the Anti-Protection League of Canada from the Canadian film distributors on the league's written demand for the reorganization of conciliation and clearance, it is understood, and the matter probably will be taken up at the next regular gathering of the film exchange representatives under the auspices of the Toronto Board of Trade Film Section.

The league, made up of independent owners, have asked for representative conciliation boards in six cities of the Dominion, with a national appeal board in Toronto for the consideration of grievances. A shortening of clearance schedules is also asked.

Rogers Sells 'Warning'

Budd Rogers, vice-president and general manager of Alliance Films, has sold the rights to the three-reel short, "The Warning" to Japan, the Philippines, and the British West Indies.

'The Women' Hits $18,500, Philadelphia

PHILADELPHIA, Oct. 4.—"The Women" grossed $18,500 at the Boyd, while "The Star Maker" and Mal Hallett's orchestra, at the Earle, drew $19,300. "The Old Maid" in its fourth week accounted for $6,7[illegible] at the Karlton.

Estimated takings for the week ending Sept. 28:

"Here I Am a Stranger" (20th-Fox)
ALDINE—(1,700) (32c-42c-57c) 8 days. Gross: $9,000. (Average, 7 days, $8,000)
"When Tomorrow Comes" (Univ.) (4 days)
"The Adventures of Sherlock Holmes" (20th-Fox) (3 days)
ARCADIA (600) (32c-42c-52c) ("When Tomorrow Comes," 2nd week, 3 run; "Sherlock Holmes" 2nd run). Gross: $2,000. (Average, 7 days, $2,600)
"The Women" (M-G-M)
BOYD—(2,400) (32c-42c-57c) 7 days. Gross: $18,500. (Average, 7 days, $10,000)
"The Star Maker" (Para.)
EARLE—(2,400) (32c-42c-57c-68c) 6 days. Stage: Mal Hallett and his orchestra, Wally Vernon, Cliff Nazarro, Marjorie Gainsworth. Gross: $19,300. (Average, $16,000)
"Fifth Avenue Girl" (RKO)
FOX—(3,000) (32c-42c-57c) 5 days, 2nd week. Gross: $6,200. (Average, 7 days, $13,000)
"The Old Maid" (W. B.)
KARLTON—(1,000) (32c-42c-57c) 7 days, 2nd run. Gross: $6,700. (Average, 7 days, $3,000)
"Blackmail" (M-G-M)
KEITH'S—(2,200) (32c-42c-57c) 5 days, 2nd run. Gross: $2,500. (Average, 7 days, $3,000)
"The Rains Came" (20th-Fox)
STANLEY—(3,700) (32c-42c-57c) 7 days, 2nd week. Gross: $10,600. (Average, 7 days, $14,000)
"Coast Guard" (Col.)
STANTON—(1,700) (26c-32c-42c) 7 days. Gross: $5,100. (Average, 7 days, $4,500)

'Avenue' at $12,000 Leads in Cincinnati

CINCINNATI, Oct. 5.—"Fifth Avenue Girl" rang up a big $12,000 at the RKO Palace, and "The Rains Came" gave the RKO Capitol $6,800 in the second week.

Estimated takings for the week ending Sept. 27-30:

"Honeymoon in Bali" (Para.)
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $11,300. (Average, $12,000)
"Fifth Avenue Girl" (RKO)
RKO PALACE—(2,700) (35c-42c) 8 days. Gross: $12,000. (Average, 7 days, $10,000)
"The Magnificent Fraud" (Para.)
RKO SHUBERT—(2,150) (40c-60c) 7 days. Stage: "Rochester," Betty Grable and acts. Gross: $16,500. (Average, $10,000)
"The Rains Came" (20th-Fox)
RKO CAPITOL—(2,000) (35c-42c) 7 days, 2nd week. Gross: $6,800. (Average, $6,500)
"Beau Geste" (Para.)
RKO LYRIC—(1,400) (25c-40c) 7 days, 2nd week. Gross: $3,600. (Average, $5,000)
"Flight at Midnight" (Rep.)
"Hidden Power" (Col.)
RKO FAMILY—(1,000) (15c-25c) 4 days. Gross: $1,100. (Average, $1,500)
"Sorority House" (RKO)
"Exile Express" (G. N.)
RKO FAMILY—(1,000) (15c-25c) 3 days. Gross: $900. (Average, $900)
"Thunder Afloat" (M-G-M)
KEITH'S—(1,500) (30c-40c) 7 days. Gross: $6,900. (Average, $6,000)

Yoder to Manage KOA

DENVER, Oct. 5.—Lloyd Yoder, manager of KPO and KGO, San Francisco, after Oct. 15 will be manager of KOA, Denver, where he will succeed Robert H. Owen, who remains as assistant manager. Owen was raised from the chief engineer's job to that of manager when E. A. Nelson left to manage KDKA, Pittsburgh. Nelson, now in New York, will take over the Yoder job on the coast. All are NBC stations.

Trade Seeks Amendments On Neutrality

Efforts will be made to obtain an amendment to the new neutrality legislation which would exempt copyrighted articles from those provisions of the legislation which otherwise would prohibit the export of motion pictures to belligerents.

As the proposed legislation now stands, distributors would be handicapped even in sending films to Canada, a belligerent. This would be particularly true in the case of companies which do not operate their own exchanges in the Dominion, since the proposed legislation provides that title to goods destined for a belligerent must be transferred before the goods leave the United States. However, most companies are in a position to transfer title to their foreign subsidiaries.

Other troublesome provisions, insofar as films are concerned, include the prohibition against shipping in vessels of belligerents. Much of the film shipping to the South and Far East is, of necessity, handled by foreign shipping lines.

There is also the possiblity that, unless exemptions for films are obtained, under the new legislation they might conceivably be held to be contraband since they contain cellulose and nitrate, which are used in making explosives.

'Rains,' with $9,400, Leads Indianapolis

INDIANAPOLIS, Oct. 5.—"The Rains Came" and "Charlie Chan at Treasure Island" pulled $9,400 at the Indiana in a good week. Ben Bernie on the stage at the Lyric and "Cowboy Quarterback" on the screen brought $13,800.

Estimated takings for the week ending Sept. 29:

"In Name Only" (RKO)
"The Spellbinder" (RKO)
APOLLO—(1,100) (25c-40c) 7 days, 2nd week. Gross: $1,600. (Average, $2,500)
"Dust Be My Destiny" (W. B.)
"The Day the Bookies Wept" (RKO)
CIRCLE—(2,800) (25c-40c) 7 days. Gross: $6,200. (Average, $6,000)
"The Rains Came" (20th-Fox)
"Charlie Chan at Treasure Island" (20th-Fox)
INDIANA — (3,200) (25c-40c) 7 days. Gross: $9,400. (Average, $5,000)
"Thunder Afloat" (M-G-M)
"Five Little Peppers" (Col.)
LOEW'S—(2,800) (25c-40c) 7 days. Gross: $7,500. (Average, $7,000)
"Cowboy Quarterback" (W. B.)
LYRIC—(2,000) (25c-40c) 7 days. Stage: Ben Bernie's band show. Gross: $13,800. (Average, $8,000)

Standard Sets Next Film

The next release on the 1939-'40 schedule of Standard Pictures Co. will be "Lost on the Western Front," for which the national release date is Oct. 15. Harry Segal is general sales manager of Standard and George Trainer is general manager.

Hays Meeting Today

The adjourned quarterly meeting of the M.P.P.D.A. board of directors, scheduled to have been held Wednesday, will be held today. It will continue discussions of industry economy measures as a consequence of the loss of foreign revenue.

Theatre, Personnel Notes

Leases New Broadway House
The theatre to be housed in the building now under construction of Broadway and 43rd St. has been leased by the Waybro Theatre Corp., subsidiary of Consolidated Amusement Enterprises. The 600-seat cinema will open shortly after Dec. 1.

Opening Next February
The new 600-seat theatre on 69th Ave. and Fresh Meadow Lane, Flushing, will open about Feb. 1.

Crystal Reopens Oct. 15
Charmay, Inc., will open the Crystal, Brooklyn, about Oct. 15 under supervision of the Brandt Theatres. Charles Oppenheim is president of Charmay.

Foreign Film House Closes
The Continental, foreign film house on Broadway, has closed.

Rockaway Houses Closed
Rivoli in Rockaway Beach and the Colony in Rockaway Point have been closed.

Mineola Theatre to Reopen
Williston in Mineola, L. I., will be reopened this weekend by the L. E. S. Amusement Corp. of which Moe Goldman is president.

Rename Indianapolis House
INDIANAPOLIS, Oct. 5.—The Golden of the Cantor circuit has been renamed the Sheridan. Re-christening was put up to patrons, who cast 4,208 out of 6,000 ballots for the new name.

Build in West Haven, Conn.
WEST HAVEN, Conn., Oct. 5.—Officers of the new Forest Theatre Corp. are E. Michael Cascioli, president and treasurer; Leo Ardolino, vice-president, and Carmelo Ardolino, secretary. The corporation is constructing the 1,000-seat Forest Theatre here.

Reopen in Indianapolis
INDIANAPOLIS, Oct. 5.—The Old Trail theatre, 618-seat neighborhood house has reopened, after having been closed several weeks for remodeling. Peter Fortune is the manager.

Joins Cantor Circuit
INDIANAPOLIS, Oct. 5.—Larry Reinking, formerly with Manny Marcus in Fort Wayne, has joined the Cantor circuit here.

Form Theatre Firm
ALBANY, Oct. 5.—White Roe Theatre, Inc., has been incorporated here to conduct an exhibition business, by Richard Diamond, Julius Weiner and Nat Lichtman, New York.

Harmanus Bleecker Reopens
ALBANY, Oct. 5.—Harmanus Bleecker Hall, oldest theatre here and closed since Labor day, will reopen Saturday, with a new policy of subsequent runs and double features. Oscar Perrin will manage the house, and contemplates importation of stock company and road shows from time to time.

Reopen Connecticut House
DEEP RIVER, Conn., Oct. 5. — Lee Malcarni, principal of the Essex Theatre Corp., will open the 460-seat Deep River Theatre about Oct. 14, after remodeling the entire building.

Sports Arena Abandoned
HARTFORD, Conn., Oct. 5. — The $350,000 Hartford Sports Arena project, which was to have seated between 5,000 and 9,000 people, and provide facilities for winter athletic activities, has been abandoned and subscriptions returned in full.

Leases Iowa House
DES MOINES, Oct. 5.—Haydon Peterson, owner of the State here, has leased the Garden in Garden Grove, Ia., from Harvey Northup, owner of the theatre and building. The theatre had been closed during the summer months. Peterson has opened the Garden two days a week. He will continue to operate the State here.

Roman Joins Greenblatt
Ben Roman, formerly of the M-G-M sales staff, has joined Arthur Greenblatt, manager of the Alliance Films Corp. exchange in New York. Roman will handle sales in New Jersey and upper New York state.

Griffith Takes House
KANSAS CITY, Oct. 5.—Griffith-Dickinson Theatres, Inc., have taken over operation of the Ritz, former Commonwealth house, at Chillicothe, Mo. Glen W. Dickinson, Jr., is Chillicothe manager for Griffith-Dickinson.

Downard Pioneer Manager
DES MOINES, Oct. 5.—The Pioneer Theatre Corp., has appointed Arthur Downard manager of the Webster and Isis at Webster City, Ia. Downard formerly managed the New Grundy at Grundy Center, Ia.

Herndon Succeeds Genter
KANSAS CITY, Oct. 5.—The post of office manager at the M-G-M exchange here, left vacant last week with the death of H. E. Genter, has been filled with the appointment of Earl Herndon, who has been office manager at the St. Louis exchange.

Shelton Transferred
DES MOINES, Oct. 5.—Bruce Shelton, assistant manager at Tri-States' Des Moines, has been named manager of their new Ingersoll.

'Rulers of the Sea' Hits $8,100 in Omaha

OMAHA, Oct. 5. — "Rulers of the Sea" hit $8,100 at the Omaha for the week's best. "The Rains Came" was good for $8,400 at the Orpheum.

Estimated takings for the week ending Sept. 27-28:

"Angels Wash Their Faces" (W. B.)
"Clouds Over Europe" (Col.)
BRANDEIS—(1,200) (25c-35c-40c, 7 days. Gross: $4,100. (Average, $4,000)
"Rulers of the Sea" (Para.)
"Chicken Wagon Family" (20th-Fox)
OMAHA—(2,200) (25c-40c) 7 days. Gross: $8,100. (Average, $6,000)
"The Rains Came" (20th-Fox)
"Nancy Drew Trouble Shooter" (W. B.)
ORPHEUM — (3,000) (25c-40c) 7 days. Gross: $8,400. (Average, $7,600)

Cut 25 Films in Ohio

COLUMBUS, Oct. 5.—Ohio censors reviewed a total of 508 reels in September, from which 25 eliminations were ordered. During August, 593 reels were reviewed, and 17 eliminations ordered. These figures compare with 506 reels and 21 eliminations in September, 1938.

Newsreel Parade

War coverage in the weekend issues is composed mainly of films depicting the might of the French army and activity on the Maginot Line. The death of Cardinal Mundelein and the opening of the World Series are other outstanding events. The reels and their contents follow:

MOVIETONE NEWS, No. 8 — French armed forces on Western front. Hull warns Americans abroad. Vyvyan Donner shoe fashions. World Series. Helen Wills Moody tries comeback. Lew Lehr.

NEWS OF THE DAY, No. 206—French armies off to battle. Seaplane sets endurance record. Mundelein rites. Women try reducing exercises. Yanks win opener.

PARAMOUNT NEWS, No. 11—Yanks-Reds open series. French soldiers on Maginot Line. German troops in Siegfried Line.

RKO PATHE NEWS, No. 23—Cardinal Mundelein dies. Hull urges American travelers to use American ships. Pineapple harvests in Hawaii. New fishing grounds in Chili. Japanese sand painting. Western sheep migrate for winter pastures. Yanks beat Reds.

UNIVERSAL NEWSREEL, No. 812—Mundelein mourned. Canadian air force training. Women's transport service in England. Evacuation of children in Paris. Salmon run in Oregon. Swimming contest in Oregon. Animal designs made from wire. Helen Moody in comeback. World Series.

LaGuardia to Attend S.M.P.E. Luncheon

Mayor Fiorello H. LaGuardia has accepted an invitation to address the opening day informal luncheon of the Society of Motion Picture Engineers' Fall convention at the Hotel Pennsylvania Oct. 16.

E. A. Williford is president of the society. The luncheon will be held in the Grand Ballroom of the hotel. A large Coast contingent is expected to attend the four-day session. Mrs. Oscar F. Neu, convention hostess, has prepared a program for the women, to be in charge of her reception committee of 11 women.

Educational Films Slated for Canada

MONTREAL, Oct. 5.—British Acoustics, Ltd., London, have completed arrangements for distribution in Canada through Associated Screen News, Montreal, of a number of British documentary films on educational topics.

The films were used at the New York World's Fair in connection with the "School of Tomorrow," showing English advances in visual education. Screen News will distribute them here to be screened for the benefit of Canadian school children who were unable to visit the Fair in New York.

Two Circuit Deals Are Closed by RKO

The closing of three deals, involving about 40 theatres, has been revealed by Jules Levy, general sales manager of RKO.

The deals were with the Shea-Publix Circuit, with theatres in Buffalo, Niagara Falls, Kenmoew, North Tonawanda and other situations; the Basil Circuit, with houses in and around Buffalo, and the first run Century Theatre in Buffalo. The deals, for all the 1939-'40 features, shorts and RKO Pathe News, were negotiated by E. L. McEvoy, eastern and Canadian sales manager, and C. Boasberg, Buffalo branch manager.

MOTION PICTURE DAILY'S BOOKING CHART

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Sept. 1	Konga the Wild Stallion *Fred Stone Rochelle Hudson*	The Women *Norma Shearer Joan Crawford Rosalind Russell*		Death of a Champion *Lynne Overman Robert Paige*	Flight at Midnight *Phil Regan*	Conspiracy *Allan Lane Linda Hayes*	Adventures of Sherlock Holmes *Basil Rathbone Ida Lupino* (G) (D)		The Under-Pup *Nan Grey* (G) (C) Mutiny on the Blackhawk *Richard Arlen* (G) (D)	The Old Maid *Bette Davis Miriam Hopkins* (G) (D)
Sept. 8	Golden Boy *Stanwyck* (G) (D) Hidden Power *Jack Holt*	Blackmail *Edward G. Robinson Ruth Hussey*		Range War *William Boyd Russell Hayden*	Wall Street Cowboy (O) *George Hayes*	Full Confession *Victor McLaglen* Fighting Gringo *George O'Brien*	Charlie Chan at Treasure Island *Sidney Toler* (G) (D)		Desperate Trails (O) The Mikado *Kenny Baker* Hawaiian Nights (G) (C)	Nancy Drew and the Hidden Staircase *Bonita Granville Frankie Thomas*
Sept. 15	Outpost of the Mounties *Charles Starrett Iris Meredith*	Thunder Afloat *Wallace Beery Chester Morris*	Sky Patrol *John Trent Jackie Coogan*	Beau Geste *Gary Cooper Ray Milland* (G) (D)		The Day the Bookies Wept *Joe Penner Betty Grable*	The Rains Came *Myrna Loy Tyrone Power George Brent*		Two Bright Boys *Jackie Cooper Freddie Bartholomew*	Dust Be My Destiny *John Garfield Priscilla Lane* (G) (D)
Sept. 22	Those High Grey Walls *Walter Connolly Iris Meredith*			$1,000 a Touchdown *Joe E. Brown Martha Raye*	Calling All Marines *Donald Barry Helen Mack*	Fifth Avenue Girl *Ginger Rogers James Ellison* (A) (C)	Stop, Look and Love *Jean Rogers William Frawley*	Intermezzo, a Love Story *Leslie Howard Ingrid Bergman*	The Witness Vanishes *Edmund Lowe Wendy Barrie*	No Place to Go *Fred Stone Gloria Dickson*
Sept. 29		Dancing Coed *Lana Turner Richard Carlson Artie Shaw*	Crashing Thru *James Newill* The Fight for Peace	Honeymoon in Bali *Madeleine Carroll* Range War (O)	The Arizona Kid *Roy Rogers*	Nurse Edith Cavell *Anna Neagle Edna May Oliver* (G) (D)	Here I Am A Stranger *Richard Greene Roland Young*	The Real Glory *Gary Cooper Andrea Leeds*	Rio *Sigrid Gurie Basil Rathbone Robert Cummings*	A Child Is Born *Geraldine Fitzgerald* Espionage Agent *Joel McCrea*
Oct. 6	U-Boat 29 *Conrad Veidt Valerie Hobson*	Fast and Furious *Ann Sothern Franchot Tone*	Mutiny in the Big House *Charles Bickford*	What a Life *Jackie Cooper Betty Field*	Kansas Terrors *Jacqueline Wells The Three Mesquiteers*	Everything's On Ice *Irene Dare Edgar Kennedy*	The Escape *Kane Richmond Amanda Duff*	Eternally Yours *Loretta Young David Niven*	Hero for a Day *Anita Louise Dick Foran*	Pride of the Blue Grass *Edith Fellows Gantry the Horse*
Oct. 13	Scandal Sheet *Otto Kruger Ona Munson*	Babes in Arms *Mickey Rooney Judy Garland*		Jamaica Inn *Charles Laughton Maureen O'Hara*	Sabotage *Arleen Whelan*	Three Sons *Edward Ellis Virginia Vale*	Road to Glory *Fredric March* Hollywood Cavalcade *Alice Faye Don Ameche*		Tropic Fury *Richard Arlen*	On Your Toes *Zorina*
Oct. 20	Mr. Smith Goes to Washington *Jean Arthur James Stewart*	At the Circus *Marx Brothers*	Riders of Destiny Sagebrush Trail *John Wayne*	Television Spy *William Henry Judith Barrett*		Flying Deuces *Laurel & Hardy Jean Parker*	Pack Up Your Troubles *Jane Withers* Shipyard Sally *Gracie Fields Sidney Howard*	Housekeeper's Daughter *Joan Bennett Adolphe Menjou*	Tower of London *Basil Rathbone* Little Accident *Baby Sandy* Oklahoma Frontier	Smashing the Money Ring *Ronald Reagan Rosella Towne*
Oct. 27	Beware Spooks *Joe E. Brown Mary Carlisle*	Bad Little Angel *Virginia Weidler*	Danger Flight *Tailspin Tommy* The Ringer	Disputed Passage *Dorothy Lamour Akim Tamiroff*	Jeepers Creepers *Weaver Bros. & Elviry*	Allegheny Uprising *John Wayne Claire Trevor*	20,000 Men a Year *Randolph Scott* The First World War		Green Hell *Douglas Fairbanks, Jr. Joan Bennett*	The Roaring Twenties *James Cagney Priscilla Lane*
Nov. 3	Blondie Brings Up Baby *Penny Singleton* The Stranger from Texas	Ninotschka *Greta Garbo Melvyn Douglas*	Heroes in Blue *Dick Purcell* Fighting Mad *James Newell*	Law of the Pampas *William Boyd Russell Hayden*		Queen of Destiny *Anna Neagle Anton Walbrook*	Heaven with Barbed Wire Fence *Jean Rogers*		One Hour to Live *Doris Nolan Charles Bickford*	Kid Nightingale *John Payne Jane Wyman*

Paramount Pictures

Book these PARAMOUNT SHORTS when you book your features!

OCTOBER 6 Headliner TED FIO RITO AND HIS ORCHESTRA

OCTOBER 6 Color Cruise PERU

OCTOBER 13 Grantland Rice Sportlight CATCHING WHOPPERS

OCTOBER 13 Cinecolor UNUSUAL OCCUPATIONS No. 1

100% BOX OFFICE tested

Short Subject Reviews

"Stranger Than Fiction, No. 67"

(*Universal*)

An interesting subject in an interesting series, this number pictures an old gun collection, a miniature of the White House made with mother-of-pearl, a young man, minus legs, who skates and engages actively in other sports; the naval expert who plays with toy ships in developing tactical problems, and the Georgia fishermen for whom the fish hop straight into the boat. Running time, 10 mins.

"Stranger Than Fiction, No. 68"

(*Universal*)

These examples of the old adage that truth is often stranger than fiction prove interesting and entertaining short subject fare. Included are the calf with hind quarters and hoofs like a deer, the aged Louisiana negro whose hand-carved hunting horns are known the world over, a collection of pipes, the farmer whose home and barns are shingled with old license plates. Running time, 9 mins.

"Going Places, No. 67"

(*Universal*)

There is a great deal of interest in this subject, picturing life in Rhodesia, Africa. The riches, in minerals, teakwood, tea and tobacco, in which the country abounds, the manner in which the once savage natives have turned to civilized work, the estates of the English planters, the ancient ruins, all go to make up an interesting picture. Running time, 9 mins.

"Going Places, No. 68"

(*Universal*)

Strange birds which abound in the Western Hemisphere form the subject matter of this number of the series, and they offer a liberal education. The macaw, the toucan, the crane, owl, cormorant, pelican, are seen in their native habitat. A good subject. Running time, 9 mins.

"Swing Hotel"

(*Universal*)

A group of variety entertainers perform adequately or better in this two-reel musical subject, set in a supposed hotel, with the help supplying the talent. Duke Daly and his band, Martha Mears, vocalist; Edna and John Torrence, dancers; the Three Rockets, Notables Quartette and others make up a bill which should be enjoyed by those who like their entertainment via swing. Running time, 17 mins.

RKO Golf Tourney

Executives of the RKO film and theatre departments will play in a golf tournament at Elmsford Country Club tomorrow. There are 32 entries. There will be a "kicker's handicap," with a number of prizes. John Farmer and Dick Gavin are in charge of arrangements.

Longevity

Hamilton, O., Oct. 5.—The Paramount, headquarters for Northio Theatres, Inc., is believed to hold the record, for the state, at least, in conducting Sweepstakes, which is featured every Wednesday night. The game has been running continuously, without interruption, for four and one-half years.

Two Ask Approval For New Stations

WASHINGTON, Oct. 5.—Applications for authority to construct new broadcasting stations have been filed with the Federal Communications Commission by the Mollin Investment Co., seeking a 1,390-kilocycle, 500-watt day station at Riverside, Cal., and the Star Printing Co. asking a 1,310-kilocycle, 250-watt station at Miles City, Mont.

Applications also were received from Stations WBRK, Pittsfield, Mass., for increase of night power from 100 to 250 watts; WAVE, Louisville, for increase of power from 1,000 to 5,000 watts; WFMJ, Youngstown, O., for extension of time from day to unlimited; WDAY, Fargo, N. D., for increase of night power from 1,000 to 5,000 watts; WJJD, Chicago, Ill., for change of frequency from 1,130 to 1,040 kilocycles, and extension of time from limited to unlimited with 10,000 watts night, 20,000 watts day; WKBB, Dubuque, Ia., for increase of night power from 100 to 250 watts, and KWNO, Winona, Minn., for increase of night power from 100 to 250 watts.

Pleads for No Ban On German Music

TORONTO, Oct. 5.—A plea to avoid any ban, official or otherwise, on German music during the war has been made publicly by Sir Ernest McMillan, foremost Canadian musician and head of the Toronto Conservatory of Music, which is affiliated with the University of Toronto.

Sir Ernest, who frequently conducts large Canadian orchestras in radio programs, declared he hoped there would be no silly talk about banning German music. The great German composers had composed music for the world, not for Germany and much less the present German regime. Barring the works of German masters could mean no loss to the Germans, he said. McMillan himself was a prisoner of war in a German camp in the last war and music had been a life saver during the long weary years, he pointed out, in stressing the value of entertainment.

Strike Called Off

Strike by Studio Mechanics Union, Local 52, at Paramount News was called off yesterday after Pat Casey, producers' labor representative, intervened by long distance telephone. The strike was called Monday when one of the four sound men was discharged for economy reasons. Under the settlement, the discharged sound man was rehired and the matter will be discussed further when Casey returns to the city.

Trial of Newburgh Suit Set Next Week

Trial of the Newburgh anti-trust suit against George Walsh, Paramount theatre associate in Newburgh, and five major distribution companies, may open in U. S. District Court here next week. The case was No. 24 on the trial calendar as of yesterday, indicating that it could be reached about mid-week.

Action is brought by Orange County Theatres, which operates the Academy, Newburgh, and asks triple damages of $125,000 of the defendants. It alleges inability to obtain the required product for profitable operation of the Academy, due to contracts in effect between Walsh's theatres, Paramount, RKO, Universal, United Artists and 20th Century-Fox.

Louis Phillips, Paramount home office attorney, will be chief counsel for Walsh and Paramount. John Caskey of Dwight, Koegle & Caskey will represent 20th-Fox; Benjamin Pepper of O'Brien, Driscoll & Raftery, United Artists; Adolph Schimel, Universal and Gordon Youngman, RKO.

Ontario Theatres Rush New Lighting

TORONTO, Oct. 5.—The 400 theatres in the Province of Ontario have been engaged in a grand stampede in complying with the order of the Ontario Government for the installation of auxiliary lighting equipment as a war time precaution, the time limit for which was Sept. 30.

Many exhibitors obviously just got under the wire in the ordering of the lighting units because there was a heavy shipment of storage batteries and spot-flood lamps from equipment supply companies on the last day. The battery-served equipment is now to be inspected by officials of both the Theatres Branch of the Government and the Hydro-Electric Commission.

Japan's New Import Rules to Start Jan. 1

(*Continued from page* 1)

Tsingtao. The companies are also operating at Peiping. A disastrous flood in the Tsientsin area has disrupted film shipments in or out.

Distribution in China is virtually non-existent in the areas occupied by the Japanese armies.

China has just doubled its import duty under a complicated currency system. In Manila, the municipal board has approved increased license fees for theatres.

Goodman's territory extends over the vast Far Eastern countries. He plans to sail for his headquarters later this month.

See Private Screening

Mr. and Mrs. George M. Goben of Lucas, Ia., prevented by family illness from accepting the award in New York as the longest married couple in connection with Walter Wanger's "Eternally Yours," were given a private screening in Des Moines.

Set 'Borgia' Bookings

Gallic Films, Inc., distributor of French films, has booked "Lucrezia Borgia" into houses in Buffalo, Newark, Portland, Kansas City and San Francisco.

'Rains Came' Denver Lead With $6,000

DENVER, Oct. 5.—"The Rains Came" took the best comparative gross in its second week at the Aladdin, with $6,000. "Fifth Avenue Girl" and "Conspiracy" drew $10,000 at the Orpheum.

Estimated takings for the week ending Oct. 4:

"The Rains Came" (20th-Fox)
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $6,000. (Average, $3,500)
"These Glamour Girls" (M-G-M)
"Blackmail" (M-G-M)
BROADWAY — (1,040) (25c-35c-40c) 7 days, 2nd week. Gross: $2,500. (Average, $2,500)
"$1,000 a Touchdown" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days. Gross: $6,500. (Average, $6,500)
"Golden Boy" (Col.)
DENVER—(2,525) (25c-35c-40c) 7 days. Gross: $9,000. (Average, $9,000)
"Fifth Avenue Girl" (RKO)
"Conspiracy" (RKO)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $10,000. (Average, $9,000)
"Adventures of Sherlock Holmes" (20th-Fox)
"Stop, Look and Love" (20th-Fox)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $3,500. (Average, $3,500)
"Man in the Iron Mask" (U. A.)
"North of Shanghai" (Col.)
RIALTO—(878) (25c-40c) 7 days. Gross: $1,800. (Average, $1,750)

Para. Signs Donlevy

HOLLYWOOD, Oct. 5.—Brian Donlevy was signed today to be starred in three Paramount pictures, first of which will be "Down Went McGinty," directed by Preston Sturges. Under the deal Donlevy will be given sympathetic parts. Donlevy recently ended his contract with 20th Century-Fox after it refused to give him such roles.

Selznick Seeks 'Swan'

Producer David O. Selznick is reported negotiating for the purchase of Ferenc Molnar's "The Swan," first produced here 15 years ago with Eva La Gallienne as its star. It may be the next film for Ingrid Bergman, new screen star.

Survey Cooper Properties

Joseph Cooper, Nebraska theatre operator and Paramount associate, leaves for Lincoln today with Leon Netter, Paramount home office theatre official, for a survey of Cooper's operations prior to negotiation of a new agreement between Paramount and Cooper.

Good Legit Business

Broadway's legitimate theatres are reporting excellent business. Capacity attendance is attributed to a general improvement in business, the World's Fair visitors and the scores of conventions which are being held in the city.

Title Change

"First Kiss" is the new title which Twentieth Century-Fox has decided for "Daytime Wife." Gregory Ratoff is now directing the film with Tyrone Power, Linda Darnell and Binnie Barnes heading the cast.

New Radio Programs

Bill Stern's new program, "Highlights from the Sport News of the Day," starts Sunday at 9:45 P. M. for Colgate's shaving cream over NBC-Blue with Babe Ruth as guest star. Benton & Bowles is the agency. . . .

Lanny Ross will be heard Mondays, Wednesdays and Fridays from 11:05 to 11:15 A. M. over 50 CBS stations, starting Oct. 9. Campbell's Soup Co. is sponsoring on behalf of Franco-American Spaghetti. Ruthrauff & Ryan is the agency. . . .

Six U. P. news periods will be sponsored by Pinex Cough Syrup over WHN for 22 weeks. . . . Jack Benny returns to NBC-Red at 7 P. M. Sunday to start his ninth consecutive season.

"These Amazing Years," starring Howard Vincent O'Brien, columnist, starts on NBC-Blue Oct. 11. It will be heard Wednesdays at 8 P. M. . . . "Quicksilver," the riddle game, returns to NBC-Blue Wednesday Oct. 11 at 8:30 P. M. Lewis-Howe Co. is the sponsor. . . .

Canadian Broadcasting Co. has announced a series of symphonic concerts for the Winter season to originate from Vancouver. The first will be heard Sunday at 7:30 P. M. . . .

KFSO, San Francisco, announces new business from Edward S. Tompkins Co., Miller Packing Co., Quaker Oats, White King Soap Co., Scot Towel Co., Langendorf Bakeries and C. H. Baker Shoe Stores. . . . "Joyce Jordan—Girl Interne," changes its time from 12 M. to 3 P. M. Monday. The serial will continue to be heard Mondays through Fridays over CBS.

Behavior of electrons in radio and television will be featured in "Magic Waves" which will be heard Fridays at 7:45 P. M. over NBC-Red, starting Oct. 13. Programs are under the supervision of Orestes H. Caldwell, editor of *Radio and Television Today*, and Gerald Holland of the NBC script division. . . .

"Smilin' Ed McConnell" returns to CBS Oct. 16 and will be heard Mondays through Fridays at 4:45 P. M. Purities Bakeries Service is sponsoring the show over 18 stations. . . . "Hobby Lobby" resumes Sunday over CBS at 5 P. M.

Noxema will sponsor a five-minute news broadcast by Bob Trout over 38 CBS stations, starting Tuesday. The program will be heard at 3:30 P. M. Tuesdays and Thursdays and immediately after the first half of the football games on Saturdays. Ruthrauff & Ryan is the agency. The contract is for 52 weeks. . . .

A 15-minute "Football Preview" over WABC immediately preceding the Saturday game over the network will be sponsored by Knox Gelatine. Mel Allen will do the previewing. Kenyon & Eckhardt is the agency. . . .

"Great Plays," revivals of dramatic classics, will be resumed over NBC-Blue Oct. 15. It will be heard Sundays at 2 P. M. . . . "The Right to Happiness," new serial by Irna Phillips, starts Oct. 16 under sponsorship of Procter & Gamble. It will be heard Mondays through Fridays over NBC-Blue at 11:15 A. M. . . . The Bach Cantatas series started by Mutual last year returns to the air Oct. 15 under the direction of Alfred Wallenstein Sundays at 7:30 P. M.

Concert Bookings Soar; Opera Faces Big Season

The war in Europe has not affected concert bookings for this season in the U. S.

Both Columbia Concerts Corporation and NBC Artists Service report full schedules for their divas and tenors.

New York will be the big stomping ground more than ever for artists as they are not hesitant now in outwardly preferring these shores to the other side. The principal problem growing out of this influx is that there might be a marked overflow around. Concert managers already have started pondering just how to profitably service these lesser lights out to the hinterland.

Canada, being in a state of war, is offering some obstacles. Canadian exchange quota carries a 10 per cent discount loss from artists's fees and this has created some frowns. However, bookings across the border are excellent and will be fulfilled per schedule throughout the season. Lily Pons got an early start a week ago on her annual concert trek, drew $8,000 in Montreal and $4,300 in Quebec

The San Francisco Opera season is slated to open next week, but the management is holding its breath awaiting word of the definite arrival of three Italian singers, all under CBS banner, who are reported to be running into transportation delays. They are Mafalda Favero, soprano; Allesandro Ziliani, tenor and Salvatore Baccaloni, bass. The Metropolitan Opera may run into similar trouble when its Wagnerian repertoire is scheduled, because of its German leads.

NBC Civic Concert Service, Inc., now has nearly 300 concert courses signed for the season, with total bookings estimated at 18 per cent over last year which set an all-time high.

Raleigh, N. C., now six years old for NBC concert fare, is an example of the current spurt being felt in general over the country. Membership has tripled for this town, with 3,500 purchasers listed at the regulation $5 ticket. The North Shore area in New England, within 40 minutes of Boston proper, has signed for its own attractions this year for the first time.

Radio Personals

Robert A. Simon, radio writer and music critic, joins WOR's program department Monday as director of continuities. . . . Paul Whiteman and his wife arrived from Chicago by TWA "Gold Coaster" last night. . . .

Thomas D. Connolly, assistant to Victor M. Ratner, CBS director of sales promotion, will speak Tuesday before the National Canvas Goods Manufacturers Association on "Covering the Market by Radio" at convention headquarters at the Hotel New Yorker.

Dr. Walter Damrosch will open the NBC "Music Appreciation Hour" Friday, Oct. 13, at 2 P. M. . . . Alfred Wallenstein will conduct the last of NBC's Summer concerts Sunday at 8 P. M., prior to the return of Arturo Toscanini on Saturday, Oct. 14. . . .

Lucille Watson will co-star with Edward Everett Horton on the CBS "Star Theatre" Oct. 18. . . . Arch Oboler will broadcast his CBS dramatic program from Chicago Saturday night. He is en route to Hollywood. . . .

Wendy Barrie, RKO star, was heard as guest on the "Kraft Music Hall" hour last night. . . . Ginger Rogers and Herbert Marshall will be heard in "If You Could Only Cook" on the Woodbury "Hollywood Playhouse" hour next Wednesday.

House Jameson and Mary Cecil have been added to the cast of "Women in Love," first in a series of "By Kathleen Norris" which starts Monday at 5 P. M. over CBS. Bruce Disque adapted the novel for the radio. . . . Kate Smith will guest on the "Aunt Jenny" program tonight. . . .

Charles Stookey, CBS director of agricultural activities, addressed the Business and Professional Men's Club of Vandalia, O., last night on farm conditions.

CBS Net Carries Coast Grid Games

Pacific Coast conference football games will be carried by a CBS network of eight Coast stations under the sponsorship of Tidewater Associated Oil Co. Saturdays from 2:15 to 5 P. M. Pacific time. The first game was broadcast last Saturday.

Union Oil Co. will sponsor opera and light opera in tabloid form over the same stations Thursdays from 9:30 to 10 P. M. Pacific time, beginning Thursday. Lord & Thomas was the agency for both accounts.

Billings by Mutual Rise in September

Mutual Broadcasting System September billings totaled $210,589, an increase of 5.1 per cent over the same month of 1938. It was the 17th consecutive increase over corresponding months of the previous year.

Totals for the first nine months of this year reached $2,256,817, compared with $1,874,255 for the same period in 1938, an increase of 20.4 per cent.

Special CBC Shows To Entertain Troops

TORONTO, Oct. 5. — The Canadian Broadcasting Corp. has announced officially that special programs are being organized for an indefinite period to entertain the troops on active service in the Dominion and also for the purpose of carrying programs from barracks and camps for consumption by the general public.

Lohr Will Address Texas Publishers

Lenox R. Lohr, NBC president, will address 500 guests of Texas Newspaper Publishers Association, Columbus Day (Oct. 12), at a banquet in honor of G. B. Dealey, president of the Dallas *Morning News*, in the Buccaneer Hotel, Galveston.

FCC to Hear Pleas for New Radio Stations

WASHINGTON, Oct. 5.—Applications for authority to construct new broadcasting stations have been filed with the Federal Communications Commission by P. K. Ewing, Kosciusko, Miss., and the Post Search Light Co., Bainbridge, Ga. Both applicants seek a 1,500-watt station, with 100 watts power night, 250 watts day.

Applications also were received from Stations WCSH, Portland, Me., for increase of power from 1,000 watts night, 2,500 watts day, to 5,000 watts; WWVA, Wheeling, W. Va., for change of frequency from 1,160 to 1,140 kilocycles, extension of time from sharing to unlimited, removal of transmitter from Wheeling to Clairsville, O., and increase of power from 5,000 to 50,000 watts; KVOO, Tulsa, Okla., for extension of time from sharing to unlimited and increase of power from 25,000 to 50,000 watts; KCMO, Kansas City, for increase of day power from 1,000 to 5,000 watts; KATE, Albert Lea, Minn., for increase of night power from 100 to 250 watts; KHSL, Chico, Cal., for increase of power from 250 watts to 500 watts night, 1,000 watts day; KSUN, Lowell, Ariz., for increase of night power from 100 to 250 watts, and KIRO, Seattle, for change of frequency from 650 to 710 kilocycles, extension of time from limited to unlimited and increase of power from 250 to 1,000 watts.

The commission tentatively has set Oct. 12 as the date for a hearing on the application of Station WMFF, Plattsburg, N. Y., for change of frequency from 1,310 to 1,240 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts; and Oct. 30 to hear the application of Station WCSC, Charleston, S. C., for increase of night power from 500 to 1,000 watts.

CBS in Biggest Fall Schedule of History

Heaviest Fall schedule in CBS history has been set this year, Victor W. Ratner, director of sales promotion, declared yesterday. Total of 76 programs will be sponsored by 45 advertisers. Of the 45, 44 are on renewed contracts, with the Penn Tobacco Co. as the newcomer.

Eleven of the sponsors begin their sixth year with CBS this Fall, eight, their fifth year; six, their fourth year; five, their third year; five, their second year; and 10 have joined the network within the past 12 months.

General Mills, which has used CBS for 454 weeks, is the oldest account, while the Bayer Co., with 420 weeks, and the Kolynos Co., with 406, are next.

On Benefit Staff

Arthur Knorr of the Roxy Theatre and Lester Isaac of Loew's will have charge of the Madison Square Garden lighting system on the night of Nov. 15, when the sixth annual "Night of Stars" benefit for the Palestine refugee settlement takes place, according to the associate chairmen, Ben Boyar and Marvin Schenck.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 69 NEW YORK, MONDAY, OCTOBER 9, 1939 TEN CENTS

Capital Press Fetes 'Smith', Capra's Film

Sponsors Picture, Invites High U. S. Officials

Frank Capra goes to Washington. On the evening of Oct. 17 he will be honored there by the National Press Club at a cocktail party and dinner to be followed by a screening of his latest Columbia production, "Mr. Smith Goes to Washington."



Frank Capra

This is the first time in the history of the Press Club that it has sponsored the presentation of a motion picture. Arrangements for the event were made by Arthur Hachten, International News Service, president of the club; Fred Perkins, head of the Washington Bureau of the Scripps-Howard Newspaper Alliance, and Walter Karig, Washington correspondent of the Newark *Evening News,* members of the Press Club committee.

Invitation to the affair, which will be held in Constitution Hall, will be extended to President and Mrs. Roose-

(*Continued on page 2*)

London Trade Acts This Week in Crisis

LONDON, Oct. 8.—It is expected in film circles here that a conference of representatives of all branches of the industry will be held this week for the purpose of considering the situation in view of possible changes in film legislation.

It is considered certain that the likelihood of suspension of the British quota, and the effect of such suspension on the British industry will be a major point for consideration.

The British Home Office has approved the opening of film houses in the West End area of London, on a staggered system. The plan became effective Friday evening. Houses in the area are divided into two groups. On alternate weeks, each group is permitted to remain open until 10 P.M., while the other group closes at 6 P. M.

Hays Office Salary Cuts Go Into Effect; Smaller Staff Seen

Emergency retrenchment measures, including salary cuts, were put into effect at the weekend by the M.P.P.D.A. The measures are similar to those adopted a week earlier by the M.P.P.A. in Hollywood.

Salary cuts range from five to 10 per cent on salaries from $50 to $100 per week, and 20 per cent on salaries over $100. Will H. Hays, president, voluntarily reduced his own salary.

Personnel reductions were said to be in the offing, although officially there have been no dismissals yet.

The measures were described as "temporary" and were said to have been compelled by the loss to the industry of foreign revenue due to the European war. The income of the M.P.P.D.A. is based on payments by members of a percentage of their total revenues, which have decreased since the start of the war.

The adjourned meeting of the M.P.P.D.A. board of directors on Friday continued its discussion of the emergency created by the European situation, but again reached no final conclusions. The subject is scheduled for further consideration when the board meets again on Wednesday.

A meeting of foreign managers of member companies preceded Friday's board meeting. The foreign department heads exchanged information on the international situation, aired their views on probable developments and discussed prospective remedies to help offset reduced foreign revenues. It was indicated that no decisive action was taken by the foreign department heads.

Grainger Contract Extended by Shea

The M. A. Shea chain which operates around 60 theatres in Massachusetts, New Hampshire, New Jersey, Ohio, Pennsylvania, Rhode Island, and New York, has granted Edward C. Grainger, vice-president and general manager, a five-year extension of his present contract.

Under the new deal, Grainger's term will run until 1951. This is probably the longest contract period ever granted an individual in the film business. Grainger's original deal was for 10 years. This was signed early in 1936 when he left the old Fox company to join the M. A. Shea Theatres.

He is a brother of J. R. Grainger, president of Republic Pictures.

Separate Film Deals By B-K, UA Probable

Individual picture deals may be negotiated by B. & K. with United Artists, it was indicated on Saturday prior to the departure of John Balaban, B. & K. head, for Chicago.

Although Balaban had planned to discuss a product deal with L. J. Schlaifer, United Artists western sales head, here last week, no meeting was arranged and the matter will go over to a later date, as a result.

B. & K. recently closed for two Samuel Goldwyn and one Alexander Korda pictures, and a similar procedure of negotiating for individual releases as available may be followed.

Atlas in New $1,500,000 RKO Underwriting Offer

Confirming earlier reports that Atlas Corp. will make a new underwriting offer for $1,500,000 of RKO stock in the near future, Floyd B. Odlum, Atlas president, stated over the weekend that plans for the offer are now in work.

Odlum's statement was made in response to an inquiry on the subject put to him by Irving Trust Co. as RKO reorganization trustee.

Atlas's first underwriting offer expired without being accepted by the company on Aug. 29. Due to the outbreak of war thereafter, it was not renewed subsequently. Odlum stated in his letter that he preferred to wait until the return from the coast of George J. Schaefer, RKO president, to present and discuss the offer, which will now be made in the light of the new war conditions.

"However," Odlum's letter concludes, "the matter can be taken up with the remaining members of the board if Mr. Schaefer's return is to be long delayed."

This confirms MOTION PICTURE DAILY's report of Oct. 3 that submission of an acceptable new underwriting offer will avert undue delay in completing the RKO reorganization despite the industry emergency resulting from the European war.

Levy Resigns After 12-Year Stay at RKO

Depinet Takes His Duties As Sales Manager

Jules Levy, general sales manager of RKO Radio Pictures, resigned that post over the weekend, effective today.

Levy will wind up his affairs at RKO this week and will announce his new plans shortly. These are definite.



Jules Levy

No successor to Levy will be named. His duties will be taken over by Ned E. Depinet, vice-president in charge of distribution.

Levy has been with RKO for the past 12 years, having entered the organization as general manager of RKO Theatres film booking department, in charge of buying and booking for the circuit. He was made general sales manager of RKO Radio seven years ago. His film career covers more than 25 years. He started as a film salesman for Universal, and later as a sales executive of that company he first became associated with Depinet.

Subsequently, Levy joined First National, where he remained for three years, leaving to become a special representative for United Artists.

Memorial Tributes For Carl Laemmle

Former associates of Carl Laemmle attended memorial services for the founder of Universal Pictures at West End Synagogue Friday night. Eulogies were delivered by Will H. Hays, president, M.P.P.D.A., and Rabbi Nathan Stern of the Synagogue, a friend of the Laemmle family. Rabbi Hyman J. Schachtel assisted.

Hays spoke on "My Friend, Carl Laemmle, the Pioneer," stressing his character, his contributions to the film industry's development and his philanthropies.

"Laemmle inspired affection and had men's admiration and respect," said Hays. "In his nobility of character, in the kindness of his heart, in his great capacity for friendship, he exemplified

(*Continued on page 6*)

Purely Personal

SIDNEY R. KENT, president of 20th Century-Fox, is back at his desk today following several weeks at Alexandria Bay in the Thousand Islands.

•

ALFRED LUNT and LYNN FONTANNE celebrate the 15th anniversary of their first association with the Theatre Guild on Friday. They will be appearing in "The Taming of the Shrew" in Milwaukee on that date.

•

JULES GIRDEN, Warner home office executive, who has been ill at the Manhattan General Hospital for the past two weeks, was discharged over the weekend.

•

BEN KALMENSON, Warners' southern and western sales manager, is back at the home office after a trip to the company's branches in the midwest territory.

•

S. A. LYNCH, long active in amusement enterprises in the South, was a visitor in Jacksonville, Fla., last week abroad his yacht, *Sunset*.

•

WILLIAM KUPPER, western division manager for 20th Century-Fox, has returned from a flying trip to Denver and Los Angeles.

•

FORD SCOTT of the U. A. home office is in Providence, doing exploitation on "Intermezzo."

•

IRVING TRENCHER, formerly of the Central Theatre, is now manager of the Waldorf.

•

ANTONIO A. ROMANO of Providence to New York on business.

Film Trade Forms B'nai B'rith Lodge

The first regular meeting of Cinema Lodge, B'nai B'rith, at the Hotel Edison attracted over 100 representatives of the motion picture industry.

The principal speaker was Dr. William F. Rosenblum, chairman of the Metropolitan Anti-Defamation League.

At the next meeting, Thursday evening, Nov. 3, members will receive a charter. Important personages of the entertainment world will be present at this meeting.

President of the Cinema Lodge is A. W. Schwalberg; secretary, Stuart H. Aarons; treasurer, Max B. Blackman.

Rothacker to Coast

Watterson R. Rothacker, Hollywood vice-president, Quigley Publishing Company, is leaving New York tomorrow following a several weeks' visit. Before returning to Hollywood he will be the guest of Warren Wright at the Calumet Farm, Lexington, Kentucky, for the duration of the Keeneland Race Meet. Rothacker will return to his Hollywood office on October 26.

Form B & M Pictures

Albany, Oct. 8.—B & M Pictures, Inc., has been formed here to engage in the motion picture business. Directors are Harry Suchman, B. D. Draisin, New York, and Jack Berkowitz, Buffalo.

Courtesy Pays!

Net estate of $507,000, subject to taxes of approximately $142,500, leaving a net legacy of about $364,500, will go to William J. Reilly, former Roxy usher, because of his courteous treatment to the late Edna Morss Allin Elliott, it was revealed by the filing of transfer tax proceedings over the weekend. Rosalie Spatcher Kniskern, former ballet dancer, who also was kind to Mrs. Elliott during her visits to the Roxy, will receive $53,000, subject to taxes.

'Dust' Hits $10,300 To Lead Cincinnati

CINCINNATI, Oct. 8.—$11,000 a Touchdown," with Gene Krupa's orchestra on the stage, drew $13,500 at the RKO Shubert, while "Dust Be My Destiny" drew $10,300 at the RKO Palace.

Estimated takings for the week ending Oct. 4-7:

"Nurse Edith Cavell" (RKO)
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $11,400. (Average, $12,000)
"Dust Be My Destiny" (W.B.)
RKO PALACE—(2,700) (35c-42c) 7 days. Gross: $10,300. (Average, $10,000)
"$1,000 a Touchdown" (Para.)
RKO SHUBERT—(2,150) (40c-60c) 7 days. Gene Krupa on stage. Gross: $13,500. (Average, $10,000)
"The Rains Came" (20th-Fox)
RKO CAPITOL—(2,000) (35c-42c) 7 days, 3rd week. Gross: $4,900. (Average, $6,500)
"Fifth Avenue Girl" (RKO)
RKO LYRIC—(1,400) (25c-40c) 7 days. Gross: $5,200. (Average, $5,000)
"Range War" (Para.)
"Death of a Champion" (Para.)
RKO FAMILY—(1,000) (15c-25c) 4 days. Gross: $1,100. (Average, $1,500)
"It Could Happen to You" (20th-Fox)
"Charlie Chan at Treasure Island" (20th-Fox)
RKO FAMILY—(1,000) (15c-25c) 3 days. Gross: $900. (Average, $900)
"Thunder Afloat" (MGM)
KEITH'S—(1,500) (30c-40c) 7 days. 2nd week. Gross: $4,300. (Average, $6,000)

Sues at Middletown

MIDDLETOWN, Conn., Oct. 8.—Alexander and Salvatore Saracene, owners of the Capitol, have filed a $100,000 damage suit against Salvatore Adorno, owner of the Palace, and Maria and Joseph Adorno. The suit, similar to that of Franklyn Arrigoni and the Middlesex Theatre Corp. filed last summer for $175,000, charges that Adorno induced the plaintiffs to enter a theatre combine under his management in 1932, and later induced them to lease to Arthur Lockwood without revealing Adorno's partnership with the latter in the operation of three Middletown houses.

Strike Averted Again

Strike at Paramount News by M. P. Studio Mechanics Union, Local 52, flared again for several hours Friday but was quickly settled. Pat Casey, producers' labor representative, again adjusted differences by long distance telephone. Misunderstanding about the re-hiring of a sound man who was discharged for economy reasons caused the strike, and Casey suggested that he be re-hired.

Hartford Rites

PROVIDENCE, Oct. 8.—Funeral services for Walter G. Hartford, pioneer exhibitor here, were held this afternoon. Hartford, who operated the Casino years ago and later opened the Imperial in Pawtucket, died in New Haven Thursday. He was 82 years of age and had been retired for some

25 Cities Share $50,000 Will Rogers Drive Cash

Distribution of $50,000 in 25 cities was begun Friday by the Will Rogers Memorial Commission as its contribution to local institutions caring for handicapped children. Ceremonies were held in 15 cities at which zone chairmen of the Will Rogers National Theatre Week presented checks to chapter chairmen of the National Foundation for Infantile Paralysis.

The largest gift was made here at a luncheon attended by film executives in the Rockefeller Center Luncheon Club. On behalf of the Will Rogers Memorial Commission, Amon G. Carter, publisher of the Ft. Worth *Star-Telegram*, presented a check for $14,595 to Gen. Hugh S. Johnson, who was chairman of the recent Greater New York Infantile Paralysis Campaign. This fund will be expended for emergency needs and recovery treatment for handicapped children in the New York area.

In receiving the gift, General Johnson said this was the largest single contribution made to the infantile paralysis campaign here.

Will H. Hays, president of the M.P.P.D.A., and Major L. E. Thompson of RKO, chairman of the Will Rogers National Theatre Week, praised the cooperation of exhibitors in the annual fund-raising campaign which made the contribution possible.

The infantile paralysis Foundation was selected by the Commission as the agency for expenditure of the fund because of its acquaintance with local conditions and its national program for handicapped children, Major Thompson said.

Basil O'Connor, president of the Foundation, spoke of Will Rogers' interest in helping the paralysis foundation at Warm Springs, Ga.

"This gift will further perpetuate among Americans the memory of the cowboy philosopher, who was always ready to champion the cause of the underprivileged and handicapped children," he said.

Among those at the luncheon were Richard C. Patterson, Jr., chairman of the board, RKO; Joseph Bernhard, president, Warner Theatres; John J. O'Connor, RKO circuit head; William Powers, representing Spyros Skouras, head of National Theatres; W. G. Van Schmus, managing director, Radio City Music Hall; Arthur Israel, representing Barney Balaban, Paramount president; Walter Trumbull, assistant to Will H. Hays; Harry H. Buxbaum, 20th Century-Fox; John C. Wright, Rivoli Theatre; Harry Brandt, Walter Vincent, Samuel Rinzler, and J. R. Springer and Samuel Goodman of the Century Circuit.

Representing the Will Rogers Memorial Commission were Will H. Hays, Amon G. Carter, Col. J. M. Hartfield, James G. Blaine, J. J. Gallagher, John W. Elwood.

Sen. J. Henry Walters, Harold Rodner and Herman Levine represented the Will Rogers Memorial Fund, and Maj. L. E. Thompson and A. P. Waxman the Will Rogers Memorial Campaign. Executive committee of the National Foundation for Infantile Paralysis was represented by Gen. Hugh S. Johnson, Basil O'Connor, Keith Morgan, Tom Wrigley and George V. Reilly.

The other 14 cities where disbursements were made Friday and the zone chairmen representing the industry making the presentations were: Los Angeles, Clatyon T. Lynch of M-G-M; San Francisco, Dennis J. McNerny, U. A.; Hartford, Lou Wechsler, U. A.; Milwaukee, Arthur N. Schmitz, RKO: Portland, Louis Amacher, M-G-M; Dallas and Houston, Doak Roberts, Warners; Boston and Springfield, Mass., Morris Weeks, M-G-M; Kansas City, James Winn, Warners; Hoboken (New Jersey zone), Harry H. Buxbaum, 20th Century-Fox; Cleveland, Frank D. Drew, M-G-M; Oklahoma City and Tulsa, Ralph B. Williams, RKO.

The 10 additional cities which will receive their allotments are Chicago, Newark, New Orleans, St. Louis, Cincinnati, Detroit, Philadelphia, Pittsburgh, Seattle and Washington, D. C.

Paramount Denies Studio Suspension

HOLLYWOOD, Oct. 8.—Refuting reports that Paramount would close down, Y. Frank Freeman last night instructed all department heads to advise employees that no suspension in activity is contemplated. However, all production in work and that to be started in the next two months will be finished Dec. 20 so that there will be no activity during the Christmas-New Years week. "Other than this there is no plan to suspend operations," Freeman stated.

RKO will drop eight low budget pictures from its program and use the money saved to supplement the budgets for higher bracket productions. Pictures to be eliminated will be decided by George Schafer and Lee Marcus in conferences next week.

Capital Press Fetes Capra's New Film

(*Continued from page 1*)

velt, members of the Cabinet, the Diplomatic Corps, members of the House and Senate and to representatives of New York, Boston, Philadelphia and Baltimore newspapers, in addition to members of the National Press Club in Washington.

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Across America Is Heard THE ROAR OF BOX-OFFICE ACTION IN ITS FIRST 6 ENGAGEMENTS!

NEW YORK CITY... *Rivoli*

Fourth smash week as Broadway answers the marquee appeal of Gary Cooper, plus Andrea Leeds, plus David Niven, sensational star of "Bachelor Mother".

SAN FRANCISCO... *United Artists*

Held over for third week of indefinite run. First Saturday and Sunday biggest two days in more than three years.

ALBANY... *Strand*

Moe Silver, Warner Bros. Theatres' operating head in Albany, reports biggest seven days since Christmas week.

NEW HAVEN... *Roger Sherman*

Opening day beats "The Hurricane", previous U. A. high grosser at the Roger Sherman.

HARTFORD... *Strand*

The stampede is on as opening day is 157% of house average.




BOX-OFFICE
Paramount's
"HONEYMOON
IN BALI"
"BA
LA
Paramount
Pictures
Fred MacMurray · Madeleine Carroll · Allan Jo

I"

UGHS

ARE

BOX-

OFFICE

"HONEYMOON IN BALI"

The Laughs Get 'em
in these serious times...
particularly Bali laughs
as these results testify:

•

Paramount's
"HONEYMOON IN BALI"
New York Paramount—First week $59,000...Second week—$54,000 ...(the biggest second week in seven years)... *Held over for a third week, of course!*

Paramount's
"HONEYMOON IN BALI"
Newark Paramount—First week —30% above average... Second week—$100 more than first week...

Paramount's
"HONEYMOON IN BALI"
New Haven Paramount—First week 35% above average... *Held over for a second week, of course!*

Paramount's
"HONEYMOON IN BALI"
New Orleans, Saenger—40% above average, outgrossing "Beau Geste" and "Union Pacific." *Carried over for a continued run!*

Paramount's
"HONEYMOON IN BALI"
Hartford, Allyn Theatre—30% above average... *Held over for a second week, of course!*

Paramount's
"HONEYMOON IN BALI"
Kansas City, Newman Theatre— 30% above average... *Held over for a second week, of course!*

Paramount's
"HONEYMOON IN BALI"
Philadelphia, Fox Theatre—Outgrossing "Spawn of the North," "Sing You Sinners" "Man About Town"

Tribute Paid To Laemmle By Associates

(*Continued from page* 1)

the true brotherhood of man.

"Laemmle's services to the motion picture industry were great. Always he fought for what he believed to be right, and kept his word and his honor untarnished. He gave more than he asked.

"Carl Laemmle had and deserved the deep, warm affection of all who knew him. He was a little man who was big enough to fill our hearts."

The services were attended also by representatives of the Pacific Lodge of Masons, of which Laemmle was a member.

Rabbi Stern lauded Laemmle's kindliness, sense of fair play and consideration for others. He recalled that Laemmle had often spoken to him of his early struggles and he praised his determination and courage.

Among those attending the services, many of whom had been associated with Laemmle, were Jack Cohn, Ned E. Depinet, Mr. and Mrs. Herman Robbins, Mr. and Mrs. Leo Abrams, Jules Levy, L. J. Schlaifer, Herman Gluckman, Hal Hode, Adolph Schimel, Willard McKay, Julius Singer, Leo Brecher, Sam Shain, Morton Van Praag, Sidney Singerman, Sam Sedran, Peter Siebel, Ben Atwell, David Bader and Nat Ross of Hollywood.

The M.P.P.D.A. board of directors on Friday adopted a resolution expressing the industry's "deep regret" over Laemmle's death.

Circuits, Local 306 To Pick Arbitrator

Names of candidates for the position of neutral arbitrator in the negotiations between the New York major circuits and operators' Local 306 will be discussed this week. The appointee will serve as the fifth member of the arbitration board, which will consist also of two union representatives and two for the theatres.

In the event the opposing sides fail to agree on the fifth member, a request will be made of the Federal District Court to make the appointment. Wages and working conditions are involved.

Negotiations are to be resumed soon between the I.T.O.A. and Local 306 on the union's demands for a wage boost. Debate over the union's original demand for a 48 per cent increase caused delays in the negotiations, which are on revisions due to have been made last fall.

Extras Ask More Pay

HOLLYWOOD, Oct. 8.—A 15 per cent wage increase for all screen extras will be asked by the Screen Actors Guild. Extras now receive from $5.50 for atmosphere work to $25 for those who speak lines.

George Gaul Dead

PHILADELPHIA, Oct. 8.—George Gaul, 54, died here Friday. Gaul started his legitimate stage career 30 years ago and was well known throughout the country as a result of successful appearances on Broadway and on road tours.

Feature Reviews

"Ninotchka"

(M-G-M)

HOLLYWOOD, Oct. 8.—Greta Garbo lets her hair down. That's about the first thing audiences will say about "Ninotchka." Then the people will say she is a comedienne, the sort of a funmaker that Ann Sothern was in "Mazie." She is the star of "Ninotchka" that people will see.

Melvyn Douglas, Sig Rumann, Felix Bressart and Alexander Granach give her grand support. So do Bela Lugosi, Ina Claire, Gregory Gaye, Ralfe Sedan, Edwin Maxwell and Richard Carle. But there are a few other stars associated with the production that people won't see, yet Screen Play Writers Charles Brackett, Billy Wilder and Walter Reisch, who put vim, vigor, vitality, sparkle and life into the Melchior Lengyel original, and Ernst Lubitsch, who directed the production with suave verve, are just as responsible for the high audience entertainment value of the piece as are those who speak the lines and make the situations bubble and seethe.

For a long time, ever since "Garbo talks" swept the land, she has struggled with heavy stuff. Yet withal she has become an institution. In "Ninotchka" she tosses light stuff around with gay abandon. Kidding the great artistes of stage and screen, she kids herself and seems to enjoy doing so. Thereby there is a new Garbo to excite the masses.

Only for about ten minutes of its running time does the film make any pretense at seriousness. The rest of the time it is plain, wholesome comedy, the kind of screen fare that amuses.

The story has to do with what happens when a Russian Bolshevik gets mixed up with the bourgeois in Paris. But as it usually is when maid meets man, love takes precedence over all else, and happiness in Constantinople becomes a more enjoyable thing than spreading the doctrine of revolution.

Not only does picture afford exhibitors great opportunity to exploit one of the screen's best known names, but it permits them to put their showmanship ingenuity to work to devise ways and means of convincing the public that Garbo in "Ninotchka" is an all-laugh show.

Running time, 100 minutes. "G."* McC.

"U-Boat 29"

(*Columbia*)

Here is timely, melodramatic entertainment, produced by Irving Asher in England for Columbia release, and carrying with it sufficient action, suspense and dramatic force to make outstanding film fare.

Additionally, it possesses the attributes of excellent production technique. Photographed against a background of an island off the coast of Scotland, the scenic effects add immeasurably to the finished picture.

The performance of Conrad Veidt, as the U-Boat commander whose orders turn him into a spy, and who eventually finds himself the helpless victim of clever counter-espionage activity on the part of the British, is of the brilliant caliber expected of him. Valerie Hobson as the girl who turns agent to aid the British and trap the German, and Sebastian Shaw, as the British officer who appears as a traitor to bait the trap, are equally effective in the major supporting roles.

The action of British ships on the high seas, a group of destroyers speeding through the open sea, the sinking of a freighter, in which the trapped Veidt makes good a momentary escape, by the submarine, the efficiently mechanized activity of the submarine's crew in the operation of the craft, all are elements of production which contribute to the picture.

Running time, 77 minutes. "G."* CHARLES S. AARONSON

**"G" denotes general classification.*

Landlord Wins RKO Rent Battle Decision

The Appellate Division of the New York Supreme Court on Friday affirmed a lower court order directing the RKO circuit to open all books and records of the circuit for the past 10 years to H. & S. Sonn, Inc., landlord of the RKO Theatre in White Plains, N. Y.

Sonn is suing RKO for $200,000 allegedly due in back rent on the house, claiming fraud in the padding of expense records of the theatre in order to show smaller profits than allegedly were made by the house. Under the terms of the original rental contract, the landlord was entitled in rent to 50 per cent of the theatre's profits.

I.A. Installs Two New Locals Here

Two new locals, B-171, and B-172, were formally installed Friday at midnight by the I. A. T. S. E. The locals will have jurisdiction over ushers, doormen, cashiers and matrons. Negotiations for contracts with major circuits will be started at once.

A similar local, B-170, exists in Brooklyn, but it has only a small membership. Richard Scott, Operators Union, Local 306, organizer, represented the I. A. in presenting the charters. B-171 will function in Manhattan, and B-172, in the Bronx. Temporary officers were elected but their names will not be formally made known until this afternoon. The new locals have a membership of 1,600.

Hays Office Votes Tribute to Edison

Although celebration of the motion picture's 50th anniversary reached a climax over the weekend, observance activities will be continued throughout the entire season. Weekend affairs were linked with the date, Oct. 6, 1889, when Thomas A. Edison's kinetoscope was completed.

Official commemoration of the event was embodied in a resolution paying tribute to Edison and George Eastman, which was adopted by the M.P.P.D.A. board of directors at a meeting on Friday. Radio also observed the date with a broadcast over a nation-wide hookup by Mrs. Mina M. Edison Hughes, the inventor's widow.

The industry's resolution read:

"Whereas, Thomas A. Edison, using flexible film prepared by George Eastman, perfected the kinetoscope on Oct. 6, 1889, and

"Whereas, this marked the birth of the motion picture.

"Therefore, we, the board of directors of the Motion Picture Producers and Distributors of America, wish to pay the industry's tribute on the Fiftieth Anniversary to the genius which made possible this great service of entertainment and education."

In her radio broadcast, Mr. Edison's widow reminisced about the discoveries of 50 years ago. She was interviewed by Mrs. Malcolm Parker MacCoy, chairman of the motion picture department of the N. Y. State Federation of Women's Clubs, over the N.B.C. Red network.

Among the future events in the continuing anniversary observance is a television broadcast scheduled for Oct. 13 over the N.B.C. New York station. Also, Children's Book Week, Nov. 12-18, will be made the occasion of a nationwide anniversary campaign.

'Golden Boy' Omaha Smash with $6,000

OMAHA, Oct. 8.—"Golden Boy" pulled a smash $6,000.

Estimated takings for the week ending Oct. 4-5:

"Golden Boy" (Col.)
"The Man They Couldn't Hang" (Col.)
BRANDIES—(1,200) (25c-35c-40c) 7 days. Gross: $6,000. (Average, $4,000)
"They Shall Have Music" (U.A.)
"Magnificent Fraud" (Para.)
OMAHA—(2,200) (25c-40c) 7 days. Gross: $7,000. (Average, $6,000)
"Frontier Marshal" (20th-Fox)
"Winter Carnival" (U.A.)
ORPHEUM — (3,000) (25c-40c) 7 days. Gross: $7,800. (Average, $7,600)

Sign Union Contract

PHILADELPHIA, Oct. 8. — Contract between RCA Manufacturing Co. of Camden, N. J., and United Electrical, Radio & Machine Workers of America, Local 103, was signed over the weekend. The contract runs for one year and is similar in terms to the contract signed in 1937. A closed shop for the 6,300 employes covered in the agreement is provided.

Exploitation Winners

Winners in the European exploitation contest conducted by Warner Bros. during the past six months were announced over the week-end. First award goes to Richard Reichter, manager in Yugoslavia, for his campaign on "Confessions of a Nazi Spy." Second prize was won by Jack Kamras, in charge of sales in Finland, for his plan for handling "Juarez."

THE FIRST SIX OPENINGS OF "HOLLYWOOD CAVALCADE"

GIVE THE PROOF!

LOS ANGELES, CINCINNATI, OMAHA, PHILADELPHIA, HOUSTON, DALLAS show "HOLLYWOOD CAVALCADE" is the most sensational box-office attraction that ever hit this industry!

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Canada's Air Censorship Battle Opens

MONTREAL, Oct. 8. — Canadian Broadcasting Corporation's controversy with Quebec's government over war-time censorship of political speeches has broken into the open. The fight started when Charles Coderre, Montreal lawyer and a campaigner, was cut off the air after making what he termed "a strategic announcement."

The trouble centers around CBS's recent announcement that all political speeches must be censored by Ottawa before being broadcast. Quebec's government's interprets this ruling as "Federal interference."

Coderre, scheduled to give a speech over CBF, the corporation's 50,000-watt station here, opened with the remark that he was unable to make the address since he had refused to submit to Federal censorship. He was cut off the air immediately.

The only announcement CBC would make was "Mr. Coderre's speech did not meet censorship requirements." An American musical program was substituted.

Premier Maurice Duplessis will not submit to censorship, Coderre said. "No one expects the premier of the province to allow federal jurisdiction of his talks."

NAB Code Fosters Censorship, Charge

CLEVELAND, Oct. 8.—Charging that the National Association of Broadcasters' code restricts free speech over the air, John F. Patt, general manager of WGAR, declared Friday that the code exceeded the bounds of self-regulation and extended into the field of censorship.

Patt asked if the code would prevent such commenators as W. J. Cameron, Dorothy Thompson, Boake Carter, Lowell Thomas, Edwin C. Hill, H. V. Kaltenborn, John B. Kennedy, Elmer Davis, or Hugh Johnson from expressing opinions on sponsored programs.

Swope, Tyler Promoted

CBS disclosed two promotions over the weekend in the sales promotion division. Herbert Bayard Swope, Jr., has been named trade news editor to replace James S. Tyler who moves up to the post of copy writer. Robert Gerdy will be in charge of the monthly program book formerly gotten out of Swope.

Buys Interest in KFNF

DES MOINES, Oct. 8.—The Iowa Broadcasting Co. has purchased a minority interest in Station KFNF at Shenandoah, Ia., long identified with the interests of Henry Field at Shenandoah, but recently operated by Jesse L. Kaufman of Pittsburgh. The station will be under the management of Henry Field and his associates.

Carolina Station Opens

COLUMBIA, S. C., Oct. 8.—The city's new radio station, WCOS, has gone on the air. It is operated by the Carolina Advertising Corp. and Hugh Daedwyler is station manager.

Radio Personals

William B. Mishkind has been appointed account executive at WMCA. . . . Bert Lahr appears as guest star on the Fred Allen hour over NBC-Red Wednesday at 9 P.M. . . . Arlene Francis became a permament member of the "Mr. District Attorney" staff over NBC-Blue yesterday. . . .

James R. Luntzel, former Chicago publicity man, has been appointed director of publicity at KDKA. . . . Tommy Dorsey will be guest of Alec Templeton over NBC-Red at 9:30 next Monday. . . . H. V. Kaltenborn has reserved six seats at Radio City Music Hall for the premiere of "Mr. Smith Goes to Washington," in which the commentator makes his film bow. . . .

Rockwell Kent will play the title role in a dramatization of his own life Saturday at 7:30 in the "Art For Your Sake" broadcast over NBC-Red. . . . Jimmy Durante makes another guest appearance on Robert Benchley's "Melody and Madness" program over NBC-Blue tomorrow evening at 9. . . . Helen Henry will be soloist on the NBC-Blue "Music Appreciation Hour" Oct. 20 at 2 P. M. . . .

Dr. Lee DeForest, pioneer in radio and wireless communication, has been named a member of the board of consultants for Columbia's "American School of the Air," heard Mondays through Fridays at 9:15 A. M. He will be consulted in matters of radio technology.

Florida Towns Vote Amusement Taxes

Two Florida communities have enacted amusement taxes.

An ordinance providing a tax scaled from one to five cents on all entertainments except those staged by school children or similar groups for benefit purposes has been enacted by Port St. Joe. The levy of two cents on each theatre ticket became effective Friday.

A municipal levy of three cents on each theatre ticket selling for 15 cents or more has become effective at Defuniak.

Radio Uses Newsreels

SAN FRANCISCO, Oct. 8.—National Broadcasting Company here is plugging its newcsasts over KPO and KGO with five-minute newsreels on screen of the new Telenews Theatre, featuring KPO newscaster Bob Andersen in last-minute commentaries on world affairs.

Closes Deal for Peru

Morris Goodman, vice-president of Republic in charge of foreign distribution, has signed a contract with J. Calero Paz for distribution of the current program in Peru and Bolivia. Formerly the RKO franchise holder in Peru, Paz will now concentrate on Republic pictures in addition to a few Spanish language films.

Carewe Critically Ill

HOLLYWOOD, Oct. 8.—Suffering from a heart attack, Edwin Carewe, 64, pioneer film producer, is in a critical condition.

'The Women' Seattle Best With $8,100

SEATTLE, Oct. 8.—"The Women" scored a strong $8,100 at the Fifth Avenue to lead local grosses for the week. "Honeymoon in Bali" and "The House of Fear" were good for $6,800 at the Paramount. The weather was somewhat cooler.

Estimated takings for the week ending Oct. 6:

"The Women" (M-G-M)
FIFTH AVENUE—(2,500) (25c-40c-55c) 7 days. Gross: $8,100. (Average, $7,000)
"They Shall Have Music" (U. A.)
LIBERTY—(1,800) (25c-40c-55c) 7 days. Gross: $3,100. (Average, $5,000)
"The Rains Came" (20th-Fox)
MUSIC BOX—(950) (25c-40c-55c) 7 days, 3rd week. Gross: $3,300. (Average, $4,000)
"The Angels Wash Their Faces" (F. N.)
"Stop, Look and Love" (Univ.)
ORPHEUM — (2,450) (25-40c) 7 days. Gross: $5,000. Average, $6,000)
"Dust Be My Destiny" (W. B.)
PALOMAR—(1,500) (20c-25c-40c) 7 days. Johnny O'Brien's Harmonica Rascals on stage. Gross: $5,200. (Average, $5,000)
"Honeymoon in Bali" (Para.)
"The House of Fear" (Univ.)
PARAMOUNT—(3,050) (25c-40c) 7 days. Gross: $6,800. (Average, $6,000)
"The Old Maid" (W. B.)
ROOSEVELT—(950) (25c-40c) 7 days, 4th week. Gross: $3,000. (Average, $4,000)

Operators Protest Service Employes

Empire State Motion Picture Operators Union has added its protest to the C. I. O. to that of Operators Union, Local 306, against the chartering of United Theatrical and Motion Picture Service Employes Union, Local 258, by the United Retail and Wholesale Employees Union, a C.I.O. international. Abraham Kindler, Empire president, and William Santisero, secretary, have demanded that the C.I.O. regional office revoke the charter, but were advised that the office had no jurisdiction over the affairs of an international union.

Kindler and Santisero have arranged for a conference with Allen B. Hayward, C.I.O. regional director, when the latter returns from the San Francisco convention, and have stated that they will carry the issue to national C.I.O. headquarters if the charter is not revoked.

Coast Ad Men to Meet

SAN FRANCISCO, Oct. 8.—Radio, newspaper and advertising executives will attend the annual two-day confab of Pacific Council of American Association of Advertising Agencies, to be held at Del Monte, Oct. 27-28. August J. Bruhn of McCann-Erickson agency is general chairman.

Band Leader Wins Suit

N. Y. Supreme Court Justice Aron Steuer on Friday directed a verdict in favor of Alfonso D'Arteaga, band leader, in a suit brought against him by William Wynn. Wynn sought $50,000 damages for the alleged breach of a five-year agency contract made in March, 1937.

Buys Station Site

NBC has purchased a 54-acre tract near Port Washington, L. I., as a site for the construction of a transmitting station for WEAF.

Short Subject Reviews

"The Fresh Vegetable Mystery"

(*Fleischer-Paramount*)

A lively color cartoon that should please. A "ghost" kidnaps Mr. Carrot's offspring and the Potato Police round up all suspicious characters for questioning. When the Hard Boiled Egg won't talk, and the police are badly battered by the "ghost," a chase ensues. The criminal proves to be four mice under a cloak. Animation and color are excellent. Running time, 7 mins.

"The Blue Danube Waltz"

(*Paramount*)

Here is a genuinely superior short subject. The National Philharmonic Orchestra of the U. S. A., under the direction of Frederick Feher, has produced another excellent addition to the program. This one has the added advantages of including a familiar and highly popular number, and the soft tint makes the film more relaxing to the eye. Running time, 10 mins.

"Unusual Occupations, L9-1"

(*Paramount*)

Unusual occupations which come in for examination are a girl ranch operator, a dentist whose hobby is making fine steel blades, a woman who makes pictures from bits of rubbish, a stationmaster in Java who drives bystanders away from approaching trains with a whip, and Olympe Bradna, Paramount's star, whose hobby is miniature furniture. Done in color. Varied and amusing. Running time, 11 mins.

"Peru"

(*Paramount*)

This "Color Cruise" provides a trip through Peru and the ancient city of Lima. Particularly impressive are the views of relics found in the pre-Inca ruins. The city itself is shown in some detail. Interesting throughout. Running time, 9 mins.

Detroit Premiere

DETROIT, Oct. 8.—The motion picture and automobile industries will join hands in staging the world premiere of a film on October 19 when Paramount's "Disputed Passage" will open at the Michiagn Theatre with the biggest civic celebration seen by Detroit in years. As a prelude to the premiere, Detroit's automotive industry will stage a "sneak preview" of 1940 models of cars.

'Bagdad' Deal Set

United Artists has signed an agreement with Bud Fox Enterprises, naming the latter exclusive representatives of the license division on "The Thief of Bagdad," Alexander Korda film in color. N. A. Resnik will handle the licensing of manufacturers and others for merchandising of products in connection with the film.

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VOL. 46. NO. 70 NEW YORK, TUESDAY, OCTOBER 10, 1939 TEN CENTS

British Money Plan Hits U.S. Film Industry

Producers' Tug of War On Quotas Pushed

LONDON, Oct. 9.—American distributors here are seriously concerned over the plan of the British Government to impose limitations on remittances and foreign exchange.

The Government proposal was outlined to representatives of the American companies here today at a meeting at the offices of the British Board of Trade. The proposal was presented to the Americans by Oliver Stanley, president of the Board of Trade, who presided at the meeting.

Meanwhile, the quota fight is being carried forward on all fronts, with the British industry fighting for retention of the distributor and exhibitor quotas and the American interests silently working for abolition of them.

The British producers' group is planning a new offensive against the Government's quota policy, which still has not been definitely announced. The producers met today and it is expected that they will make public a statement tomorrow.

The producers have asked the Cinematograph Exhibitors Association to collaborate but the exact measure of C.E.A. support is difficult to ascertain at present.

The C.E.A. is opposed to the abolition of the exhibitors quota and also is gravely concerned over the Government plans for suspension of limitation of remittances from the country, a situation which must of necessity affect American film companies much more severely than those of any other country.

The apparently remote interest of exhibitors in limitation of remittances, and their apparently paradoxical opposition to abolition of the British

(*Continued on page 8*)

Chicago Engineers Win Wage Increase

CHICAGO, Oct. 9.—Restoration of a pay cut amounting to about five per cent, taken last year, was won today by the theatre building engineers union. The restoration was allowed by Balaban & Katz, other circuits and independents, retroactive to Sept. 1. Granting of the pay increase to the operators union made it mandatory that the engineers be given a raise also.

Smith, Mochrie Get RKO Sales Posts; Other Shifts Made

A. W. Smith, Jr., former sales executive for Warners and United Artists, yesterday was named Eastern sales manager of RKO Radio Pictures by Ned Depinet, vice president in charge of distribution in a realignment of that company's executive sales staff.



A. W. Smith, Jr.

Smith succeeds to the post formerly held by E. L. McEvoy, who is being placed in charge of a new district which includes Cleveland, Detroit, Indianapolis and Cincinnati.

Additionally, Robert E. Mochrie, who, like Smith, is a former Warners and United Artists sales executive, was named Southern district manager.

Cresson E. Smith, Western and Southern sales manager, continues in that post, giving the RKO sales organization a Smith in charge of each half of the country.

On Friday, RKO announced the elimination of the post of general sales manager following the resignation of Jules Levy. The latter leaves for the Coast in a few days and may announce his new association from there.

As Eastern sales manager, A. W. Smith will be in charge of the eastern half of the United States and Canada, a territory which includes the New York, Albany, Boston, Buffalo, New Haven, Cincinnati, Cleveland, Philadelphia, Pittsburgh, Washington, Detroit, Indianapolis, Calgary, Mon-

(*Continued on page 2*)

Projectionists Fight Anti-Picketing Writ

WILMINGTON, Del., Oct. 9.—Projectionists Local 473, I.A.T.S.E., today filed an appeal from the decision of Chancellor Harrington permanently enjoining the union from picketing the New Rialto theatre of Wilmington with the State Supreme Court at Dover.

The appeal claims that the chancellor's opinion violates the constitutional rights of "peaceful picketing." Chancellor Harrington handed permanent anti-picketing injunction against the union last May.

Failure of the management to negotiate a new contract with the union caused a walkout by the projectionists.

Cameramen Win 10% Wage Boost

Hollywood, Oct. 9.—Following negotiations which extended for close to a year, the Newsreel Cameramen's Local 644 today won a 10 per cent increase in salary.

Certain wage and hours provisions will be settled later, it was stated.

The wage boost was negotiated today by Charles Downs, business agent for the Cameramen's local; Pat Casey, producers' labor contact man, and William Bioff of the I.A.T.S.E.

Bobby Jones Loses Appeal on Film Tax

WASHINGTON, Oct. 9.—In an action said to be of considerable importance to the government in its efforts to collect taxes on motion picture income, the Supreme Court today rejected an appeal by Bobby Jones for review of a decision of the fifth circuit court of appeals holding him liable for additional taxes on $156,000 paid for a series of one-reel golfing pictures.

Involved in the case were the sale by Jones to his father of his professional services and the negotiation of the film contract with the latter, the proceeds above what was paid Jones by his father being placed in a trust fund.

The procedure, it was said in governmental circles, is similar to that used by a number of film company officials whose taxes have for some time been under investigation.

Counsel for the golfer contended that the accounting technique adopted was legal, although it has been admitted that such procedures are resorted to for the purpose of reducing tax liabilities.

Adopt New Contract On Backing of Plays

Consummation of a new minimum basic contract for the sale of plays to Hollywood producers on a royalty basis was disclosed yesterday. The Dramatists Guild adopted the contract last week. Copies of the new contract will be sent tomorrow or Thursday to producers who signed the old minimum basic contract in 1936. The pact is expected to release a flood of Hollywood money to Broadway for the financing of plays.

Blame for U.S. Suits Directed At Exhibitors

Kuykendall Assails Hate, Turmoil in Industry

By JAMES F. SCHRADER

BUFFALO, Oct. 9.—Blame for the many anti-trust suits filed throughout the country against various motion picture house operators and film companies today was placed squarely upon the shoulders of the exhibitors and distributors themselves.

The accusation came from Ed Kuykendall, president of the M.P.T.O.A., who spoke at a meeting of the M.P.T.O.A. of New York, western zone, in the Variety Club here. Kuykendall was introduced to a large gathering of western New York theatre operators by A. Charles Hayman, president of the Buffalo group.

Kuykendall placed, perhaps, a bit more blame for the situation on distributors, but declared he is well aware that all exhibitors are not "angels."

"We have brought it on ourselves by our selfishness and our desire to get everything out of the business we can," he said. "We should give more time to the running of our own theatres than we do to the running of a competitor's across the street.

"Never before in the history of mo-

(*Continued on page 2*)

Technicians Local Regains IA Power

HOLLYWOOD, Oct. 9.—Peace came over the weekend to the warring intramural factions of I.A.T.S.E. as international officers and leaders of the Studio Technicians Local 37 signed an agreement restoring autonomy to the local and giving it back portion of its jurisdiction which was removed when the organization disbanded.

A. Brigham Rose, attorney for the local leaders and Joseph W. Carpenter, president of Local 37, signed a pact with John F. Gatelee, International Alliance representative, to the effect that the restored Local 37 assumes jurisdiction over Studio Electricians Local 728, recently created, and has concurrent jurisdiction over prop makers and miniature men now in Local 44. Local 728 will be disbanded.

The agreement winds up months of litigation, obtaining of injunctions and unrest.

Gatelee, his work done, leaves this week for Springfield, Mass.

Blame for U.S. Suits Directed At Exhibitors

(*Continued from page 1*)

tion picture exhibition has there been so much turmoil, dissension and hatred among ourselves."

Kuykendall said there is a "crying need" for a fair, comprehensive and understandable contract between the distributor and exhibitor. In some of these that are "a mile long," he said, one clause and one paragraph often contradicts another. He paid tribute to R-K-O for its inception of shorter, more standard and readable written agreements.

This was Kuykendall's second official visit to Buffalo since he became president of the M.P.T.O.A. He paid special tribute to the "fine work" of Hayman, with whom he has worked.

His final observation on the Department of Justice suits as they pertain to the industry came in the statement:

"I can see nothing good coming from them, and believe that they will prove to be more destructive than they are constructive."

As for business in general, Kuykendall forecast a decided upturn during the next few months. After that, he said, the outlook is doubtful. He predicted a decided shortage in better films from Hollywood and urged exhibitors to "conserve the good ones to make up for the bad ones."

"Buy accordingly," he warned, "and don't go crazy increasing overhead and starting a lot of building and redecorating."

Warner Club to Fete Nat Fellman Friday

The Warner Club will give a testimonial dinner to Nat Fellman, newly-elected national president, on Friday at the Hotel Edison. Dancing and entertainment are scheduled.

The dinner committee consists of W. S. McDonald, T. J. Martin, J. M. Brennan, R. W. Budd, L. Schlesinger, Stuart Aarons, Frank Cahill, Frank L. Gates, Bob Salomon, Harold Rodner, Harry Mayer, Ruth Weisberg, Jules Levy, A. W. Schwalberg, M. B. Blackman, H. M. Doherty, E. E. Hinchy, Arthur Sachson, Saul Immerman, John T. Holmes, Willard Patterson and Abel Vigard.

Olivier in 'Disraeli'

HOLLYWOOD, Oct. 9.—Warners have signed Lawrence Olivier to star in "Disraeli," for which a new adaptation is being prepared by Michael Hogan.

Schenck West Soon

Nicholas M. Schenck, president of Loew's, Inc., will leave New York shortly for the Coast.

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Purely Personal

JAMES ROOSEVELT, vice-president of Samuel Goldwyn, Inc., arrived from the Coast and attended the funeral services yesterday at New Haven for his father-in-law, DR. HARVEY W. CUSHING.

•

TOBY GRUEN, RALPH COHN, HARRY BRANDT, SAM SHAIN, ARTHUR LOEW, WILLIAM RODGERS, MORRIS KINZLER, MALCOLM KINGSBERG, JOHN HICKS, RUSSELL HOLMAN, MAX A. COHEN, EDWARD GRAINGER, LOU DIAMOND, WILLIAM BRANDT, ED SAUNDERS and E. K. O'SHEA at Nick's Hunting Room in the Astor for lunch yesterday.

•

FRED MASTERS of the audit department is the first employee of the home office of Famous Players Canadian Corp., Toronto, to join the colors, having enlisted with the Royal Canadian Air Force. F. G. DONEY, manager of the Capitol, St. Thomas, Ont., is the first theatre manager of the circuit to enlist.

•

W. J. ROTH, for 10 years manager of the Philippine Islands territory of the Western Electric Co. of Asia, has arrived in New York by air with MRS. ROTH for an extended vacation. He will return to Manila after the first of the year.

•

JOSEPH MOSKOWITZ, JACK GOETZ, JOSEPH PINCUS, SAM SAX, MONROE GREENTHAL, WILLIAM GERMAN, GEORGE WEEKS, ALLAN FREIDMAN, SAM CITRON and CHARLES STERN lunching at BOB GOLDSTEIN'S Tavern yesterday.

•

MAURICE FREEDMAN, artist on DAVID STRUMP'S RKO home office art department staff, has an exhibition of 17 of his paintings on view at the Midtown Galleries in New York.

•

SAM KAPLAN of the Columbia home office celebrates a birthday today. GEORGE SCHWEIG of the same office adds a year to his age tomorrow.

•

AL BARABAS, assistant booker at Warners' New York exchange, is recuperating at the Medical Center in Jersey City after an operation.

•

GEORGE O'NEIL, author of the screenplay of "Intermezzo, a Love Story," returned to the Coast by train Saturday.

•

LOUIS OLSHAN, cashier at Columbia's Albany branch, and HELEN GOLDSTEIN of that city will be married Sunday.

•

JOHNNY O'CONNOR, vice-president and general manager of RKO, leaves tonight on tour of midwestern theatres.

•

VICTOR FRANCEN, actor, is answering the call to the French colors. Yesterday he left on the *Clipper* to enlist.

•

DON MIDLUND of the Jam Handy office in Detroit arrived in New York over the weekend for a week's visit.

•

J. J. FELDER, head of the Monogram New York exchange, was out yesterday with a cold.

•

E. Z. WALTERS, Altec comptroller, has left New York for a week's stay in Detroit.

MRS. HENRY GINSBERG is in town from the Coast, and is staying at the Delmonico.

•

In Cincinnati over the weekend for the World's Series were: JOE E. BROWN, Hollywood; EDWARD R. GOMERSALL, Universal sales manager, Chicago; GEORGE ROBERTS, 20th Century-Fox district manager, Cleveland; RAY BROWN, division manager, NAT WOLF, zone manager, CHARLES ALBERS, circuit booker, and HARRY MILLER, manager of the Hippodrome, all of Warners, Cleveland; HARRY SACHS, Warner district manager, Dallas; HARRY GOLDSTEIN, district manager, and M. R. ("DUKE") CLARK, sales manager, Paramount, Cleveland; JOHN HIBNER, exhibitor, Marion, O., EDDIE and MAX MATZ, exhibitors, Louisville, Ky., and Bluefield, W. Va., respectively; FRANK SCHREIBER, director of special events, Mutual, New York, in charge of the broadcasts; PAUL WHITE, CBS special events director, New York, and BOB KENNETT, program director, WHAS, Louisville.

•

JOHN MASSIE COOPER, second son of COL. J. A. COOPER, president of the Motion Picture Distributors of Canada, was married Saturday to FREDA BROOKFIELD of Tillsonburg, Ont., in a ceremony at Simon's Church, Toronto.

•

BEN GOETZ, M-G-M production executive who recently arrived from England, is recuperating at Doctor's Hospital from an operation.

•

BEN ROMAN is the new upstate and New Jersey representative for Principal and Alliance.

Leonard Goldenson Takes Bride Today

Leonard Goldenson, Paramount home office theatre executive, will be married today to Isabelle Weinstein of this city. The ceremony will be performed at the home of the bride. The couple will leave on a brief honeymoon trip immediately following the ceremony.

Jerry Fairbanks Here

Jerry Fairbanks, co-producer with Robert Carlisle of the Paramount short subject series, "Unusual Occupations" and "Popular Science," has arrived in New York for conferences with Lou Diamond, head of Paramount's short subject department. Fairbanks will remain in town for about a week.

Getts in Hollywood

HOLLYWOOD, Oct. 9.—Clark H. Getts has opened an office here at the Roosevelt Hotel for the handling of films, radio, scripts and personal appearances. William H. Voeller is in charge of the office here. Also on the staff here are Ray West and Ethel McDowell.

'U' Signs Luli Deste

Universal Pictures yesterday announced the signing of Luli Deste, famous Austrian actress, to a term contract. The contract was negotiated in London by J. Cheever Cowdin, chairman of the board of Universal Pictures, during his recent visit there.

Andy Smith, Mochrie Win Posts at RKO

(*Continued from page 1*)

treal, St. John, Toronto, Vancouver and Winnipeg branches.

Smith was previously associated with Depinet at First National Pictures. Subsequently he became eastern general sales manager for Warners, and then was general sales manager for United Artists, a post which he resigned about a year ago.

With Mochrie's appointment, RKO consolidates the former southeastern and southwestern districts into a single Southern district, of which he will have charge under Cresson Smith. It includes Atlanta, Charlotte, New Orleans, Memphis, Dallas and Oklahoma City branches. His headquarters will be in Atlanta.

Hubert M. Lyons, former southeastern district manager, has been named Atlanta branch manager, and Sol M. Sachs, former southerwestern district manager, has been named Dallas branch manager. J. B. Brecheen, who has been Atlanta manager, has been named Charlotte manager, and N. J. Colquhoun, Charlotte manager, is transferred to the Atlanta sales staff.

C. W. Allen, Dallas branch manager, will be reassigned by Sachs when he takes over that office.

Mochrie formerly was Philadelphia branch manager for RKO Pathe under Depinet. Subsequently, he held the same post with Warners and then became assistant to A. W. Smith with that company. His most recent post was as Southern district manager for United Artists under Smith.

J. H. MacIntyre, Nat Levy and Leo M. Devaney continue in their respective district managers' posts under A. W. Smith, in addition to McEvoy. In addition to Mochrie, Walter Branson, L. E. Goldhammer and Harry Cohen continue as district managers under Cresson Smith. Harry J. Michalson continues as short subject sales manager.

Depinet stated that yesterday's changes complete the realignment of the company's sales organization.

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'The Women' Does $18,000 In Twin Cities

MINNEAPOLIS, Oct. 9.—"The Women" was easily the box-office leader in Minneapolis, getting $12,000 at the State, holding for a second week. "Of Human Bondage," a reissue, with a stage show, lured $8,500 at the Minnesota.

In St. Paul, the best grosser was also "The Women," getting $6,000 at the Paramount and moving to the Riviera for a second week.

Estimated takings for the week ending Oct. 5:

Minneapolis:

"Charlie Chan at Treasure Island" (20th-Fox)
"Range War" (Para.)
ASTER—(900) (15c-25c) 7 days. Gross: $1,800. (Average, $1,500)
"The Rains Came" (20th-Fox)
CENTURY—(1,600) (25c-40c) 7 days after week at State. Gross: $4,000. (Average, $4,000)
"$1,000 a Touchdown" (Para.)
GOPHER—(990) (25c) 7 days. Gross: $3,000. (Average, $2,500)
"Of Human Bondage" (W. B.)
MINNESOTA — (4,300) (15c-30c) 7 days. Stage show. Gross: $8,500. (Average, $6,000)
"Here I Am a Stranger" (20th-Fox)
ORPHEUM—(2,900) (35c-55c) 7 days, with Chester Morris and the "Bon Air Line Star" Revue." Gross: $5,500. (Average, without stage show, $4,800)
"The Women" (M-G-M)
STATE—(2,300 (25c-40c) 7 days. Gross: $12,000. (Average, $4,400)
"Lucrezia Borgia" (European Film Corp.)
ESQUIRE (Formerly Time Trans-Lux) (300) (25c-35c) 7 days, 3rd week. Gross: $700. (Average, $700)
"Stolen Life" (Para.)
WORLD—(400) (25c-55c) 7 days. Gross: $1,600. (Average, $1,600)

St. Paul:

"Golden Boy" (Col.)
ORPHEUM — (2,000) (25c-40c) 7 days. Gross: $3,500. (Average, $3,200)
"The Women" (M-G-M)
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $6,000. (Average, $4,400)
"Coast Guard" (Col.)
RIVIERA—(1,000) (25c) 7 days. Gross: $1,800. (Average, $1,800)
"Chicken Wagon Family" (20th-Fox)
"Fighting Gringo" (RKO)
"Konga, the Wild Stallion" (Col.)
"Conspiracy" (RKO)
TOWER—(1,000) (25c) 7 days, dual bills split week. Gross: $2,000. (Average, $1,600)
"Four Feathers" (U. A.)
WORLD—(400) (25c-55c) 7 days, 2nd week. Gross: $1,200. (Average, $700)

Legion Approves 9 Of 11 New Pictures

Nine of 11 new pictures reviewed and classified this week by the National Legion of Decency, have been approved, three for general patronage and six for adults, while two have been classed as objectionable in part. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage: "Hollywood Cavalcade," "U-Boat 29," "Kustens Glada Kavaljerer" (Swedish). Class A-2, Unobjectionable for Adults: "Fast and Furious," "Intermezzo, a Love Story," "Una Luz en Mi Camino" (Spanish), "Ninotchka," "Mutiny in the Big House," "Three Sons." Class B, Objectionable in Part: "Eternally Yours," "Harvest" (French).

Rehearsal for Television

"Very Warm for May," new Max Gordon play will be rehearsed for television tomorrow night. The show opens in Wilmington, Oct. 20. It will be telecast at 8:30 P. M. over W2XBS.

Chicago Marks Jubilee; Crowds Attend Exhibits

CHICAGO, Oct. 9.—Motion Picture's Golden Jubilee is being celebrated extensively in Chicago by circuit and independent theatres alike. To help the theatres in stressing the fact that the movies have existed for fifty years Chicago newspapers this week placed special emphasis on the anniversary. All daily papers devoted special pages to the event and extra stories as well.

The history of Chicago's part in the early days of films was reviewed extensively in all the newspapers and the articles were suitably illustrated with pictures of stars and events in the days when Chicago was a veritable "Hollywood."

The Chicago *Tribune* devoted an editorial to the development in motion pictures. The editorial also suggested the establishment of a museum here where films that have been significant in the development of the art might be available for study and enjoyment.

In the Loop theatres numerous displays were arranged to show the progress which motion pictures have made. At the Chicago theatre old time projectors, cameras and other equipment used, were on display. Also shown—and with an operator on hand to demonstrate—was a new type projector as used today. Hundreds of interested patrons asked questions regarding the way movies are shown and how sound is reproduced.

The B. & K. Harding theatre found veteran manager Bachman on hand to tell the development of the movies. Other B. & K. theatres did likewise. Warners and Essaness also had displays in their theatres and used trailers and other forms of advertising to ballyhoo the Golden Jubilee.

The Chicago group, founders of the Bookers Club of America, elected officers for the coming year this week. Harry James of U. A. is president; Charles Davison of B. & K., vice-president; Joe Stout of B. & K., corresponding secretary; Joe Abramson of Excel Pictures, secretary; Frank Nardi, of Republic, treasurer and Oscar Bernstein of U. A., sergeant-at-arms. Clubrooms for the Booker's Club are in the Crillon Hotel.

J. Carrol Naish, Susan Hayward, Olympe Bradna and Patricia Morrison, Paramount players, arrived in Chicago over the weekend to make a series of personal appearances at B. & K. theatres. The players, during their three days in Chicago, appeared at the State-Lake, Marbro, Harding, Tivoli, Uptown, Northshore and Southtown. Monday they were guests at a cocktail party for the press at the Blackstone hotel.

Spencer Tracy, Irving Berlin, Gary Cooper and John Beal stopped over in Chicago last week on trips to and from Hollywood and New York.

Clark Rodenbach, for many years motion picture critic on the Chicago *Daily News,* has resigned. Clarence Bulliet is currently handling the film reviews.

Chicago film critics will go to Detroit on Thursday, Oct. 19, to attend the world premiere of "Disputed Passage," which will be held there at that time. Tieups with General Motors and the Ford Motor Company have been arranged by exploiteer Carl Krueger, in conjunction with the premiere.

"Al" Bachman, manager of the B. & K. Harding theatre, is this week celebrating the 14th anniversary of the theatre along with the Golden Jubilee of motion pictures. Couples who reside in the neighborhood and who have been married 50 years or more were guests of the theatre during the week.

Local newsreels have arranged for covering the big football games at Northwestern University this Fall. Games slated for special releases locally are Northwestern's battles with Purdue, Illinois and Notre Dame. Last week when Northwestern was upset by Oklahoma the newsreels were caught off guard as they hadn't expected an upset of any sort and missed getting shots of the game.

Trade showings were held last week by M-G-M for "Babes in Arms" and "Ninotchka." A luncheon at the Drake Hotel for exhibitors followed the showing of the pictures. "Hollywood Cavalcade" was shown at the Esquire theatre by 20th-Fox on Tuesday.

Oh Myrtle!

Elephant in Plunge Through Stage Floor

CINCINNATI, O., Oct. 9.—The elephant act at the RKO Shubert is continuing despite Friday's stage accident which befell Myrtle, 5,500-pound pachedyrm, and startled the audience.

Myrtle, one of the three in Adelaide Nelson's Dancing Elephants act, crashed through the stage floor and into the basement during the second show at 4:39 P. M. on the opening day. The floor, previously inspected, had been pronounced safe. A backdrop was lowered and the other acts proceeded with the show.

Until Saturday noon all efforts to get the elephant out of the basement failed. John Boles, screen star and stage headliner at the Shubert, suggested a water hose. It worked where even the fire department's aid had been futile.

Suit Over Film Title

Suit seeking $25,000 damages was filed yesterday in N. Y. Supreme Court against Universal Pictures Co., by Stage and Screen Productions, Inc. At the same time, the plaintiff filed notice that it will apply on Oct. 18 for an order directing Nathan Blumberg, Universal president, to appear for examination before trial. The suit involves use of the title, "Inside Information."

Mark Bruce Dead

STEVENS POINT, Wis., Oct. 9.—Mark E. Bruce, 81, retired exhibitor, is dead here. Bruce operated the Strand and Opera House theatres here until 1925, when he sold out to John Adler of Marshfield, Wis. He is survived by two sons and a daughter.

'The Women' Hits $15,500, Tops Frisco

SAN FRANCISCO, Oct. 9.—"The Women" grossed a strong $15,500 at the Paramount. "The Real Glory" was good for $10,500 at the United Artists, and "All Quiet on the Western Front" and "Hero for a Day" pulled $9,500 at the Orpheum.

Estimated takings for the week ending Oct. 3-6:

"Fifth Avenue Girl" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days, 2nd week: Stage; Vaudeville. Gross: $12,500. (Average, $15,000)
"All Quiet on the Western Front" (Univ.)
"Hero For A Day" (Univ.)
ORPHEUM — (2,440) (15c-35c-40c-55c) 7 days. Gross: $9,500. (Average, $8,000)
"The Rains Came" (20th-Fox)
ST. FRANCIS—(1,400) (15c-30c-35c-40c) 7 days, 3rd week. Gross: $6,400. (Average, $6,000)
"Thunder Afloat" (M-G-M)
"Everybody's Hobby" (W. B.)
FOX—(5,000) (15c-30c-35c-40c) 7 days, 2nd week. Gross: $11,000. (Average, $16,000)
"The Women" (M-G-M)
PARAMOUNT—(2,740) (15c-30c-35c-40c) 7 days. Gross: $15,500. (Average, $11,500)
"The Real Glory" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days. Gross: $10,500. (Average, $8,000)
"Here I Am a Stranger" (20th-Fox)
"Stop, Look and Love" (20th-Fox)
WARFIELD — (2,680) (15c-30c-35c-40c) 7 days. Gross: $10,800. (Average, $12,000)
"A Royal Divorce" (Select Attractions)
CLAY—(400) (15c-35c-40c) 7 days. Gross: $950. (Average, $1,000)
"Double Crime in the Maginot Line" (Powers)
LARKIN — (390) (15c-35c-40c) 7 days. Gross: $1,200. (Average, $1,000)

Grainger Signs Up South Circuit Deals

Picture deals have been closed by Republic with the following circuits: Lucas and Jenkins of Atlanta, E. J. Sparks of Florida and the Lichtman theatres of Washington, D. C. Sam M. Flax sat in with James R. Grainger, Republic president, in the deals. Grainger returned Saturday to New York after a flying trip to these territories.

Writer Wins Order

N. Y. Supreme Court Justice Miller yesterday ordered Robert T. Kane to appear for examination before trial upon his return from England within the next five weeks. Examination will be held in connection with the suit of Samson Raphaelson who contends that Kane breached a ten-week contract made in February, 1938, which allegedly employed Raphaelson as a writer at $2,500 a week.

Takes Kansas City Post

Earl Herndon, office manager of the M-G-M St. Louis branch, has been transferred to Kansas City, Mo., in the same capacity, succeeding the late Herb Genter. Clarence Ritzler, first booker at the St. Louis office, moves up to the post vacated by Herndon.

Suit Dismissed

N. Y. Supreme Court Justice Koch yesterday dismissed after trial a suit for $4,350 brokerage fees allegedly owed by Newsreel Theatres, Inc., to M. & L. Hess, Inc., real estate broker. Plaintiff had brought suit contending that it had secured a site for a theatre for the defendant at 34th Street.


DYNAMITE
Caged Men
Fearlessly, a prison chaplain rejects the defiant challenge that meant swift, sure death!
MUTINY
IN THE

DRAMA....

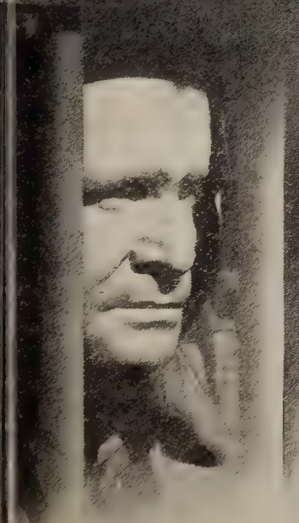
Lusting For Life!

BIG HOUSE



STARRING

CHARLES BICKFORD · BARTON MacLANE



Directed by WILLIAM NIGH

Associate Producer GRANT WITHERS
Screenplay by ROBERT D. ANDREWS
Original Story by MARTIN MOONEY

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CHATTANOOGA, TENN.—"Judging from your new modifications in the American Theatre, we have great expectations for our other theatres, and request the earliest possible application to the rest of our circuit." Abe Solomon, Independent Theatres, Inc.



SAN FRANCISCO, CAL.—"If the improvement had cost three times what you charged, the improvement would still have been more than worth it." J. J. Franklin, Strand Theatre.



NEW ORLEANS, LA.—"The improvements made by Altec have resulted not only in an increase of power which is more than ample, but also in a remarkable clarity of reproduction." C. J. Chandler, Roxy Amusement Co.

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THE SERVICE ORGANIZATION
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Hollywood In Brief

HOLLYWOOD, Oct. 9.—MURRAY SILVERSTONE told United Artists producers on Saturday that he foresaw nothing in the signs of the times which common sense economics and intensified concentration on exploitation of sound product will not cope with.

SILVERSTONE was the guest of the U. A. contributing producers at a luncheon at the Victor Hugo Cafe, which followed separate sessions with each of them and preceded his return to New York, scheduled for Tuesday.

Widely-publicized ANN SHERIDAN will make her first bid for stardom on the home lot, Warners, in "And It All Came True," which Executive Producer HAL WALLIS feels is made to order for her personality.

The enterprise is considered something of a test in exploitation technique by sideline observers, who profess to know what's what in publicity. Some of them do not hesitate to say they think the Warner publicity staff overdid the SHERIDAN ballyhoo. Contrary anticipations are voiced by as many more who defy hearers to cite an instance in which S. CHARLES EINFELD built up to a letdown.

That someone will enact Benjamin Franklin on the screen this Winter or next Spring appears certain as of now, what with M-G-M nursing the idea of giving SPENCER TRACY a go at it and Warners feeling it's a natural for EDWARD G. ROBINSON.

Although there's some difference of opinion just now as to which studio, if either, has prior right to the material, it is well known that enough books have been written about him to supply every studio in town with ample sources for the many-sided statesman's dramatization.

Additionally, Monogram has had the subject in mind for some time as a possible vehicle for JACKIE COOPER, who would portray the boy Franklin. The accent on statesmanship just now would seem to make any Franklin film a natural.

ONA MUNSON, who came back into pictures for a role in "Gone With the Wind," continues in "No Power on Earth," a VICTOR MCLAGLEN vehicle.

M-G-M is reconsidering "Hands Across the Border," an American-Canadian story, as a vehicle for ROBERT TAYLOR, none too happily cast of late.

EDGAR KENNEDY will have ample scope for display of his slow burn in Universal's BABY SANDY picture, "The Little Accident."

Rumors of studio shutdowns are largely unfounded. Lost sight of by most who give the story currency is the fact that the studios came into the present emergency with more completed pictures in the vault than in almost any other year. Paramount's cessation of actual shooting during the holiday week may be duplicated on other lots, but this is not considered unusual, since most studios commonly arrange shooting schedules at that time of year in such manner as to give a maximum proportion of the personnel a bit of leeway for trips hither and yon.

Censorship Forum To Deal with Films

Arthur DeBra of the Hays office and Frank Nugent, critic of the New York *Times*, will be the principal speakers at a group meeting on films at the Biltmore Hotel Saturday at the National Conference on Civil Liberties in the Present Emergency.

The conference, sponsored by the American Civil Liberties Union, will open Friday night with a dinner at which Attorney General Frank Murphy will be one of the speakers.

The group meeting Saturday will deal with government censorship in relation to films, radio, stage, press, books and periodicals. This session will be in charge of the National Council on Freedom from Censorship, with Quincy Howe as chairman. Sidney Kaye, CBS counsel; Elmer Rice, playwright, and Elmer Davis, radio commentator, will speak.

At a luncheon meeting on Saturday, civil liberty issues will be discussed by Neville Miller, president, National Association of Broadcasters, and others.

Strike at Milwaukee

MILWAUKEE, Oct. 9.—Motion Picture Projectionists Union, Local 164, has called a strike at the Tosa, independent neighborhood house. Ross Baldwin, owner, seeks a $1.25 per hour wage scale, while the union insists that the theatre abide by its contract, which calls for $1.71 an hour. Their two-year agreement expires Oct. 31.

Kelly Calls Another Allied Meeting Oct. 17

Another meeting of the E. Thornton Kelly faction of New York Allied has been called for Oct. 17 in Syracuse by resolution of officers and members who attended a meeting in that city last week.

A bulletin sent to members by Kelly yesterday discloses that the call for the Oct. 17 meeting was made on motion of Murry Briskin of Homer and Clarence Dopp of Johnstown. It is signed by Mitchel Conery, Albany regional vice-president; Max Fogel, Rochester; John Gardner, Schenectady; Charles Wilson, Troy; William Tishkoff, Rochester, and Harry Savett, Greene.

One of the purposes of the meeting, according to the bulletin, is "to determine the future status of this organization with relation to National Allied." National Allied leaders have promised to attend.

Manages KC Auditorium

KANSAS CITY, Oct. 9.—Eugene C. Zachman, City Manager, will resign to become manager of the $8,000,000 Municipal Auditorium, succeeding George L. Goldman. The change will be effective as soon as another city manager is named.

Firm Changes Name

ALBANY, Oct. 9. — Radio Quality Group Service, Inc., has filed a change of name with the Secretary of State's office to WOR Program Service, Inc.

'Rains Came' Hub Winner With $22,000

BOSTON, Oct. 9.—"The Rains Came" and "Stop, Look and Love" took the top gross at the Metropolitan with $22,000. "Fifth Avenue Girl" and "Full Confession" playing at Memorial was not far behind with $21,000.

Estimated takings for the week ending Oct. 4:

"Conspiracy" (RKO) (3 days with vaude.)
"Way Down South" (RKO) (3 days with vaude.)
"Bachelor Mother" (RKO) (4 days) (3rd run)
"Nancy Drew, Trouble Shooter" (4 days) (3rd run)
RKO KEITH BOSTON—(3,200) (20c-30c-40c). Gross: $9,000. (Average, $8,500)
"Fifth Avenue Girl" (RKO)
"Full Confession" (RKO)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days. Gross: $21,000. (Average, $14,500)
"Espionage Agent" (W. B.)
"No Place To Go" (W. B.)
PARAMOUNT—(1,797) (25c-35c-40c-55c) days. Gross: $6,700. (Average, $7,000)
"Espionage Agent" (W. B.)
"No Place To Go" (W. B.)
FENWAY—(1,382) (25c-35c-40c-55c) 7 days. Gross: $5,000. (Average, $4,500)
"The Rains Came" (20th-Fox)
"Stop, Look and Love" (20th-Fox)
METROPOLITAN — (4,332) (25c-35c-40c-55c) 7 days. Gross: $22,000. (Average, $14,500)
"Golden Boy" (Col.)
"Miracles For Sale" (M-G-M)
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 7 days. Gross: $18,000. (Average $14,000)
"Golden Boy" (Col.)
"Miracles For Sale" (M-G-M)
LOEW'S STATE—(3,000) (25c-35c-40c-55c 7 days. Gross: $14,000. (Average, $11,000)
"The Old Maid" (W. B.)
"Torchy Plays With Dynamite" (W. B.)
SCOLLAY — (2,500) (25c-35c-40c-55c) days. Gross: $5,600. (Average, $4,000)

Four More Circuits Sign Warner Deals

Closing of four more important circuit deals for Warner Bros.' 1939-4 program is announced by Gradwell L. Sears, distribution head.

Arrangements cover the Prudential Theatres, operated by Joe Seider with 51 theatres in Long Island and other parts of lower New York State, and Maine & New Hampshire Theatres with 39 theatres in Maine, Massachusetts, Vermont and New Hampshire.

Complete Warner Bros. program for 1939-40 has been bought by the St. Louis Amusement Co., operating 10 neighborhood houses in St. Louis and adjoining territory. A similar deal has been concluded with the A. H. Blank circuit headquartering in Omaha.

Air Warner Film

Dramatization of "Pride of the Bluegrass," Warner film set for release this month, will be heard over 27 Mutual stations on the "Rainbow House" hour Oct. 22 and 29 at 10 A. M. The dramatization was announced Sunday and the announcement will be repeated next Sunday, thus giving the film a four-week buildup.

Plans Vaudeville Unit

PITTSBURGH, Oct. 9.—Joseph Villella, KQV program manager, plans to organize a vaudeville unit for a theatre tour, from performers who have appeared over the station, augmented by other acts unsuitable for broadcasting but good for the stage.

Civil Liberties Union Defends NAB Code

WASHINGTON, Oct. 9.—The American Civil Liberties Union today came to the defense of the new code adopted by the National Association of Broadcasters in a sharp reply to an attack on the code yesterday by John F. Patt, vice-president of WJR in Detroit and WGAR in Cleveland.

In a telegram to the N.A.B. code committee, Patt charged that the code violates freedom of speech and "goes beyond self-regulation into the realm of strangulation, stagnation and censorship."

Replying to Patt's attack, the Civil Liberties Union in a statement signed by Arthur Garfield Hays and Morris L. Ernst, general counsel, and Quincy Howe, chairman of the National Council on Freedom From Censorship, declared:

"It strikes us as highly improper for the Detroit station at which Father Coughlin's programs originate to criticize the new N.A.B. code for denying free speech.

"Father Coughlin's sponsors evidently do not believe in fair play. They want a 'fair advantage' through the purchase of time. The Civil Liberties Union condemns such an attitude and commends the enforcement of the code in the interest of equal rights for all in the discussion of public issues."

Berlin Trade Brisk, Says Joseph Pollak

Joseph Pollak has arrived in New York after a year in Europe, during which he arranged for the removal of 15 relatives from Germany and their settlement in England.

Pollak reports the feeling in London is that if British production continues on a war basis, it will result in a stronger market in Great Britain for American films. He observed that while theatres in London suffered because of the nightly blackouts, theatre business in the suburbs maintained a good level.

Pollak left Germany four days befort the outbreak of war. He said Berlin theatres were doing a brisk business while he was there, with films of a military nature very popular. The quality of German production has deteriorated greatly in the last few years, he said, and a large percentage of the films have a political slant. Practically all of the films shown are of German origin.

Pollak has not been active in the industry since he sold his interest in National Screen Service in 1931. He founded the company in 1920.

Form Theatre Companies

ALBANY, Oct. 9.—Four new theatre companies incorporated here include: Chautauqua Theatres, Inc., Fredonia, N. Y., by Herman and Clara Lorence and Stanley L. Mayer; Randall Amusement Co., Inc., New York, by James J. Thompson, Harold J. Klein and Ellen Bozonelis; Bridgeport Amusement Co., Inc., New York, by Max Lechner, Julius Gaffner and Rose Bergen, and Senta Theatre Corp., New York, by Walter Ehrlich, H. G. Kosch and Frank Balletta.

Plug "Mr. Smith"

Columbia's "Mr. Smith Goes to Washington" will be plugged by three spot half-minute announcements daily except Sunday from Oct. 12 to 18 on WMCA.

Theatre, Personnel Notes

Takes Over Publicity

SAN FRANCISCO, Oct. 9.—Al Goodman, Orpheum Theatre treasurer, has taken over the publicity and advertising department pending the return of T. Thompson, operated on for a stomach ailment.

Plan Boston Vaudeville

BOSTON, Oct. 9.—The Keith Boston will inaugurate four-day vaudeville beginning Oct. 19. Three-day shows have been the order on a split week. The new schedule provides for stage shows Thursday through Sunday.

Lohman Rejoins Monogram

DES MOINES, Oct. 9.—Walter H. Lohman, formerly booker at the local Monogram office, but for the last six months employed in Kansas City, has returned to be office manager and booker at Monogram here.

Shift Tri-State Men

DES MOINES, Oct. 9.—William Petite, assistant at the Tri-States Orpheum, has been named assistant at the Des Moines, replacing Bruce Shelton, recently named manager of the new Ingersoll. William Sutton, formerly chief of service at the Orpheum, has been named assistant manager there, and W. C. Smith has been appointed assistant manager at the Strand.

Open Canadian House

TORONTO, Oct. 9.—Twentieth Century Theatres, an independent circuit with headquarters in Toronto, has rebuilt the College at Kitchener, an industrial city of western Ontario, and it is now operating it as the Century Theatre. Nat Taylor is the general manager.

Plan Texas Drive-In House

DALLAS, Oct. 9.—Katsaris Brothers and G. B. Winter will build the first Texas auto-drive-in theatre between Corpus and Robstown, Texas.

Plans Ontario Opening

TORONTO, Oct. 9.—L. Gregory, veteran theatre owner of Hamilton, Ont., will open a new house, the Geneva, at Orillia on Oct. 16. It will be opposition to the Orillia and Princess, operated by W. Vicary.

Installs New Sound

CENTERDALE, R. I., Oct. 9.—A new sound system has been installed by Manager Ted Rosenblatt at the Community Theatre here.

Standard Opens Theatre

GREEN BAY, Wis., Oct. 9.—Standard Theatres has opened the modernized Packer here, formerly the Grand. The house has been thoroughly rebuilt and fitted with new sound, seats, heating equipment, front and carpeting. George Hannon, former operator of the theatre, is the manager of the Packer.

Cohen Plans Theatre

Belle Theatre circuit, of which Max A. Cohen is treasurer and operating head, has disclosed plans to build a 1,000-seat house at 12-16 W. 116th St., Manhattan. Plans are under supervision of Thomas W. Lamb, architect, and call for theatre and taxpayer for immediate occupation.

RCA Deals Closed

RCA Photophone has closed deals with the following theatres: Telenews, Chicago; Trivoli, Mishawaka, Ind.; New Moon, Vincennes, Ind.; Happy Hour, New Orleans, and the two P & A theatres in Plymouth and Northville, Mich.

Opening Seattle House

SEATTLE, Oct. 9.—The Montlake Theatre, formerly operated as a foreign film theatre by the Herbert Rosener circuit, will be opened shortly by Frank Jenkins. A "revival" policy of former big attractions will prevail, with occasional foreign pictures being booked. Jenkins was manager of the Montlake under the Rosener banner, and more recently managed the Uptown for John Danz.

Manages Danz Theatre

SEATTLE, Oct. 9.—Murray Peck has been appointed manager of John Danz' Winter Garden here, succeeding W. Foley, who has been transferred to the Uptown. Peck's former position at the Colonial is being taken over by A. Palo, former assistant manager.

Refinish House Front

PROVIDENCE, Oct. 9.—Samuel Bomes, owner and operator of the Liberty here will have front of the house refinished with vitrolite glass.

Reopens in Montrose, Col.

DENVER, Oct. 9.—The Ute, Montrose, Col., will soon be reopened by Fox Intermountain following extensive modernization, including remodeling and reseating. The house has been closed for a long time and its reopening will give the circuit two theatres in Montrose.

Opens New Orleans House

NEW ORLEANS, Oct. 9.—The Circle Theater, recently erected by Jadel Theaters, Inc., has opened, under management of Jacques Dicharry Jr., son of the company's president.

Gibralter Takes Two

DENVER, Oct. 9.—About $12,000 will be spent on the modernization of two theaters at Glenwood Springs, Col., which are being taken over by Gibraltar Enterprises, Inc., from E. J. Allen. Both houses, the Orpheum and the Colorado, will be remodeled. This gives Gibralter 43 theaters in the Denver territory.

Suit Against Majors Starts At Pittsburgh

ERIE, Pa., Oct. 9.—Argument in the Erie State Theatre Corp. Federal court suit against major companies, their distributors and a dozen Erie theatres is scheduled tomorrow in U. S. District court in Pittsburgh, according to John A. Spaeder, deputy Federal Court clerk here.

The State Theatre Corp. has alleged in voluminous bills of complaint that illegal agreements between distributors and Erie film house operators have prevented it from purchasing better films. Damages totaling $450,000 are asked.

Defendants in the action are listed as the RKO Distributing Company and RKO Pictures, Paramount, Inc.; United Artists, 20th Century-Fox, Universal Film Exchange, Columbia Pictures, Republic Pictures and Monogram Pictures.

Among the many allegations in the complaint is a charge that one Erie theatre has been operating at a loss to prevent better films from being obtained by the State Theatre Corp.

Substitute Planned For Bonus Contest

TORONTO, Oct. 9.—Famous Players Canadian Corp. has announced that a substitute for the extra bonus contest for its theatre managers, which was cancelled following the outbreak of war, will be organized as soon as general conditions are considered appropriate. The original contest for $5,000 in cash prizes was to have been conditioned on individual theatre profits compared with the three Fall months of 1938, but the war changed the situation.

In making the announcement, the company declared that the executive committee had no feeling of pessimism but expected a steady advance in theatre receipts, such as was experienced in the last war.

Seek Sunday Shows

CAMBRIDGE, O., Oct. 9.—Management of Shea's State has filed with the City Auditor 11 initiative petitions signed by 770 voters, seeking permission to show pictures on Sunday during such hours as will not conflict with regular church services. The issue lost at the 1937 election.



Radio Programs

In order to permit Screen Actors Guild members who are now appearing on Broadway to be heard in the weekly "Screen Guild Theatre" show over CBS, the program will originate from New York instead of Hollywood during November. . . . Effective Nov. 25, "Melody and Madness," show for Old Gold cigarettes, will be shifted to Saturdays at 8 P. M. with 89 NBC-Red stations carrying the program. At present, it is heard Tuesdays at 9 P. M. over 103 NBC-Blue outlets. Lennen & Mitchell is the agency. . . .

Food and Beverage Broadcasting Association has signed for 30 NBC-Red stations to air "I Want a Divorce." There will be nine sectional sponsors. It will be heard Sundays at 3 P. M., starting Oct. 15. Emil Brisacher is the agency. . . . General Mills (Western Advertising Agency) has renewed "Dr. Kate" for Sperry Flour on 7 stations of NBC's Pacific Red network. The program is heard Monday through Friday at 10:45 A.M.

Starting Oct. 17, Edward A. Weeks, editor of *Atlantic Monthly,* will do a series on the human side of literature, "Meet Mr. Weeks," at 9:30 P. M. over NBC-Blue. . . . "Lonesome Rangers," three-man hill-billy program, started a half-hour song and comedy program over WHN yesterday. They are heard at 5 P. M. Monday through Saturday, except Fridays when they go on at 4:45. . . . "Magnolia Blossoms," featuring the Fisk Jubilee Singers and an orchestra, returns to NBC-Blue tomorrow at 10 P. M. . . .

Gas Appliance Society of California will use announcements and five-minute talks on 25 northern and central California stations for a Fall campaign plugging gas ranges. . . . Al Pearce's "Gang" returns to CBS tomorrow at 8 P. M. under the sponsorship of Hawaiian Pineapple Co. . . .

After a year's absence from the air, Wayne King starts a new program over 65 CBS stations Oct. 21. Sponsored by Colgate-Palmolive-Peet in behalf of Cashmere Bouquet Beauty Preparation, the program will be heard Saturdays at 8:30 P. M., originating from WBBM, Chicago. . . .

WTMJ, Milwaukee, has started a "Second Guessers" hour. Predictions of alumni are recorded Friday afternoon and the recordings and alibis are heard the next evening. Warren Mead is in charge. . . .

"Anne Thomas, Career Wife," Monday through Friday serial, started yesterday over NBC-Blue at 10:15 A.M. Serial is directed by Guilbert Gibbons and written by Les Weinrott. . . . Bob Hawk's "Name Three" program shifts from Wednesdays to Saturdays over Mutual, effective Oct. 14. Time, 8 P. M., remains the same.

WHN reports seven new contracts: Hine & Lynch Shoe Co. (Moss Associates, agency) will use station-break announcements for 13 weeks; Independent Halvah and Candies (Louis E. Schecter Advertising Agency) station-break announcements; Citizens Non-Partisan Committee, four half-hour political talks Thursdays at 9 P. M.; State Restaurant Liquor Dealers of N. Y. will sponsor the 10:30 to 10:45 P. M. spot Thursdays; National Bowling and Recreation Arena has signed for 26 weeks for five-minute talks, Fridays, Saturdays and Sundays; Beaumont Laboratories (H. W. Kastor & Sons, agency) has taken 19 weeks of transcribed announcements Monday through Friday, for 4 Way Cold Tablets; United Drug Co. (Street & Finney, agency) will broadcast transcriptions of "Rubinoff and His Violin" four days, starting Oct. 31. . . .

Johnny Lawrence today starts "The Freshest Thing in Town" over WICC, Bridgeport. Program will be aired Tuesdays and Thursdays at 4:45 P. M. . . . Megowen Educator Food Co. (Badger & Browning, agency) will sponsor "Martha Deane" over WOR Monday through Friday at 3 P. M. starting Oct. 17. Transcription of Larry Grey and his orchestra will start on the same station Oct. 21 for DeForest Training (Presba, Fellers & Presba, agency). Program will be heard Saturdays 12:45 P. M.

Also on WOR, Bosco Co. (Kenyon & Eckhardt, agency) has renewed for 13 weeks, beginning Nov. 6, for sponsorship of a Transradio News program by Mark Hawley, Mondays, Wednesdays and Fridays at 12:30 P. M. . . .

Radio Firm Formed

WILMINGTON, Del., Oct. 9.—Western Condenser Co. was granted a charter by the Delaware secretary of state at Dover to deal in radio apparatus with a capital of 100 shares with no par value. Incorporators are R. E. Lewis, C. S. Peabbles and Walter Lenz of Wilmington.

Radio Personalities

Lyn Murray choir will have Louis Armstrong as guest star on the Benny Goodman "Caravan" Saturday at 10 P. M. over NBC-Red. . . . A. A. Schechter, NBC director of news and special events division, left yesterday for a long delayed vacation in the South. He will be gone one week. . . .

Russ Morgan, Ella Fitzgerald and Blue Barron are the first to promise to appear with their bands at the annual Music Festival of the Medical Bureau of the Musicians Union, Local 802. The concert will be held at Madison Square Garden Nov. 27. . . .

Constance Bennett will be guest on the Kate Smith hour over CBS Friday at 8 P. M. . . . Wendy Barrie will be guest on the "Campbell Playhouse" hour Sunday over CBS. . . . Jack M. Sasley is now associated with Metropolitan Broadcasting Service of Toronto, producer of "Ken Soble Amateur Broadcasts." . . . Elspeth Eric, who plays the title role in "Joyce Jordan—Girl Interne," leaves the cast this week to appear in "Margin for Error," forthcoming Broadway production. She will be succeeded by Ann Shepard. George Coulouris leaves at the end of the month to start work in "Heart of Darkness" in Hollywood. . . .

Doug Allan, WICC, Bridgeport, commentator on the "Behind the Headlines" show, was injured Friday in an automobile smashup and was taken to the Newtown hospital. . . . Bruce Cabot will be guest of Radie Harris, WOR's Hollywood commentator, today at 5:45 P. M. . . . Kathleen Fitz has been added to the cast of "Brent House" heard over NBC-Blue. . . .

Ed Fitzgerald, formerly World's Fair reporter for WOR, starts a new series of talks about the theatre, theatre people, book reviews and general comment, Monday. He will be heard over WOR Monday through Friday at 2:15 P. M. . . . Richard Cromwell and Oscar O'Shea have been added to the cast of "Those We Love," heard Thursdays, at 8:30 P. M. over NBC-Red. . . . Kirsten Flagstad, Metropolitan Opera soprano, and Walter Connolly will be guests of the "Kraft Music Hall" Oct. 19 at 10 P. M. over NBC-Red. . . .

With the post of NBC musical director at KPO and KGO, San Francisco, abolished, Walter Kelsey, who has held that post for two years, will remain with those stations as conductor and violinist. . . . Glenn Miller starts for the Chesterfield program Dec. 27. . . . John Gunther and Anne O'Hare McCormick will debate on the "real issues" of the war at "Town Meeting of the Air" over NBC-Blue Oct. 19 at 9:30 P. M. . . .

Charles Flagler has returned to KSO, Des Moines, to fill a year's contract for Hiland Potato Chips. . . . Gwenn McCleary, director of women's affairs for KSO and KRNT, has returned from New York after a three-month leave of absence. . . . Phil Hoffman has been named commercial manager of WNAX, Yankton, So. Dakota. . . . Virginia Melton has been added to the continuity staff at KSO-WRNT. . . .

Waite Hoyt, former big league pitcher, has started a football commentary program over WGY, Schenectady. Assisted by Gene O'Haire, Hoyt will be heard Saturdays at 7:30 P. M. . . . Al Chismark, engineer, and Elliott Gove, announcer, have joined the staff of WSYR, Syracuse. . . . Harold E. Smith, WOKO general manager, has recovered from a pleurisy attack.

40% Business Jump For Erpi in Far East

An increase of 40 per cent in Erpi's business in the Far East and Australasia during the first eight months of the current year over the same period last year was reported by E. S. Gregg, general foreign manager, on his return to New York yesterday from a three and one-half months tour of the two territories.

Gregg attributed the increase to the introduction of new equipment and other factors. He evidenced no pessimism over the effects of the war on Erpi's foreign business, voicing the opinion that the increased circulation of money due to war purchases throughout the world may aid theatre business in many world markets.

Mann Named Mutual War Front Reporter

British War Ministry has approved the designation of Arthur Mann, formerly London correspondent for the St. Louis *Post Dispatch,* as Mutual's war front commentator. He leaves London immediately for the front and will return to either London or Paris for his broadcasts.

Brigadier General Henry J. Reilly, U. S. A. retired, NBC's war front correspondent, arrived in New York by transAtlantic plane yesterday to consult with John F. Royal, NBC vice-president in charge of programs.

British Money Plan Hits U.S. Film Industry

(*Continued from page* 1)

exhibitors quota, is explained along the following lines.

The exhibitor group believes that if American producers and distributors are compelled to hold large sums of money in England, under remittance restrictions, the American interests will press for abolition of the Films Act clause providing for a minimum of $75,000 per picture. The object of such a move would be to enable the American companies to use the money tied up in England for the production of high budget features, capable of showing a profitable return in the American market.

The production of expensive pictures would limit the number of releases available in the British market, in the opinion of the C.E.A. Since British producers cannot be expected to be very active, at least for the time being, a limitation on the number of releases available in the British market would present the possibility of a shortage of product for British exhibitors.

Columbia, CBS Fete Kaltenborn Monday

Columbia Pictures and Columbia Broadcasting have joined in tendering a luncheon Monday to H. V. Kaltenborn, CBS news analyst, who makes his film debut in "Mr. Smith Goes to Washington." Luncheon will be held at the Rainbow Room. A preview of the film will follow.

Among those invited are Lowell Thomas, Edwin C. Hill, Raymond Gram Swing, Dorothy Thompson, Gabriel Heatter, Walter Winchell, Elmer Davis, Walter Lippman, Heywood Broun, Hendrik Willem Van Loon, Ted Husing, Dorothy Dunbar Bromley, W. G. Van Schmus, Bob Trout, William S. Paley, Park Commissioner Robert Moses, Borough President Raymond V. Ingersoll, Vincent Sheean.

Others include Mr. and Mrs. Attmore Robinson, Jr., Mr. and Mrs. Samuel Lewisohn, Mr. and Mrs. John B. Kennedy, Mr. and Mrs. Lawrence Lowman, Mr. and Mrs. Rolf Kaltenborn, Mr. and Mrs. William Lewis, Mr. and Mrs. Guy Hickock, Mr. and Mrs. Louis Ruppel and radio editors.

Grants FCC Petition

WASHINGTON, Oct. 9.—The U. S. Supreme Court today granted a petition by the Federal Communications Commission for review of a decision of the District of Columbia Court of Appeals holding that it erred in refusing to grant a construction permit to the Pottsville Broadcasting Co. for a new station at Pottsville, Pa.

Lina Suit Settled

Settlement of the $10,000 suit of Lina Pictures Corp. against Principal Film Exchanges, Inc., was announced yesterday. Both parties had claimed the distribution rights to ninety films. Terms of the settlement were not revealed.

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First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 71 NEW YORK, WEDNESDAY, OCTOBER 11, 1939 TEN CENTS

Studios Facing Small Barriers In Cash-Carry

Learn Solution for Film Shipments Abroad

Foreign department heads of major distribution companies now believe that the industry will be able to comply with the proposed neutrality law without serious inconvenience, it was ascertained yesterday.

First indications were that shipments of films, especially to England and France, might be seriously hampered by the "cash and carry" provisions of the new legislation due to the requirement that title to the article to be exported must be transferred and cash paid for it before it leaves America. Films, of course, are not sold outright, but are leased.

It is now believed, however, that the industry will not have to fight for any particular exemptions for films in the neutrality legislation. The "cash and carry" provision may be complied with by a transfer of title to a foreign subsidiary, it is learned, and other

(*Continued on page* 10)

Heat Fails to Affect Broadway Grosses

Broadway houses turned on their cooling systems yesterday as the temperature soared, but boxoffice grosses continued at their high levels. Managers along Broadway declared that there was no decline because of weather conditions.

Charles Laughton and Maureen O'Hara, stars of "Jamaica Inn" which opens at the Rivoli today, will make personal appearances there Monday night. "The Real Glory" grossed an estimated $19,000 at the Rivoli for its fourth week, going slightly ahead of the third.

"Goodbye, Mr. Chips" starts its sixth month at the Astor Sunday night, thus passing the record set by "Pygmalion." Approximately 700,000 have seen the film at the Astor. It grossed an estimated $7,100 for its 21st week.

"What a Life" goes into the Paramount this morning. Estimated take for third week of "Honeymoon in Bali" was $39,000. At the Globe, "The Challenge" drew an estimated $4,000 for five days. It was withdrawn to make way for the showing of "U Boat 29."

Schine and Majors Join in Asking U.S. For Details in Suit

BUFFALO, Oct. 10.—Five defendant motion picture distributors and Schine Theatres, Inc., today collaborated in making a motion for a bill of particulars before Federal Judge John Knight, seeking a "more definite and certain" complaint by the Department of Justice in its anti-trust suit.

Judge Knight said he would take the motion under advisement, and then reserved decision. He directed attorneys for both sides to submit briefs. The case was adjourned indefinitely.

Counsel for Columbia and United Artists, although not included in the consolidated motion, reserved the right to brief additional requests.

Arguments were offered by John F. Caskey, representing Twentieth Century-Fox and Universal; John Lord O'Brien, for Paramount, Warner Brothers and Loew's, and Irving Moross, for Columbia, who also presented arguments in behalf of United Artists.

Thomas Cooke of New York, Schine counsel, together with Frederick Wood, argued that the definitions, identifications and general allegations made by the Government in its charge that Schine and major motion picture producers are engaging in monopolistic practices should be "more clearly defined."

Cooke said "Schine defendants must have some reasonable clear definition of what the Government intends to include within the term 'interstate commerce,' if they are to properly answer the complaint or prepare for trial."

British Cameramen Go to French Front

London, Oct. 10.—Five British cameramen, representing British newsreels, sailed for France today from England, backed by War Office authority and assured of official Government collaboration. The Movietone unit was accompanied by a sound truck.

Vote on Ticket Bill By Council Tuesday

A bill introduced in the City Council to limit advances on tickets by brokers to 75 cents is scheduled to come up for a vote next Tuesday. The bill was reported out of committee at the last Council session and passage is expected. Howard H. Spellman introduced the bill.

Yesterday, Actors Equity approved the report of Alfred Harding who recommended continuation of the ticket code for another year if more stringent enforcement of the agreement was provided.

Alexander Head Of Ontario ITOA

TORONTO, Oct. 10.—Harry Alexander of Toronto today was elected new president of the Independent Theatre Owners Association of Ontario. Nat Taylor was named vice-president. After a conference with N. L. Nathanson, president of Famous Players Canadian Corp., on clearance reforms, the I.T.O.A. decided to continue fighting for a Dominion conciliation board.

Theatres See Early Spurt As U. S. Business Expands

By ALFRED FINESTONE

Industrial improvement throughout the country is expected to be reflected at theatre box-offices in about 60 days, according to executives of major circuits operating nationally.

Opinion of theatre executives is that if the present general business upswing continues, theatre grosses should start showing increases in a few weeks, or as soon as workers being reemployed have had a chance to catch up with the depression. This should occur early in December.

National Theatres (Spyros Skouras) reports that business in the 450-theatre circuit is better than at this time in 1938, with many situations showing a substantial upturn in the last few weeks. Taken as a whole, however, the year 1939 has been behind 1938, because Spring and Summer grosses were off considerably. National Theatres operations are concentrated in the Midwest and on the West Coast.

Loew's business has been showing improvement for several weeks, due not alone to better conditions but chiefly to the better quality of product.

H. M. Richey, director of exhibitor relations for RKO, says he was informed by a few exhibitors at the Michigan Allied convention at Kalamazoo last week that business in the state is on the upgrade as compared with last Fall.

Walter W. Vincent of the Wilmer & Vincent circuit reports observing

(*Continued on page* 2)

Britain Firm But May Yield Favors to U.S.

Hopes to Spur American Production in London

LONDON, Oct. 10.—It was definitely established today that the British Government is determined to institute a limitation on remittances from American film companies, but not to restrict imports.

The Board of Trade yesterday, in informing foreign distributors of this intention, insisted the Government had no desire to hold up British production, and asked for concrete suggestions.

The Government may offer American producers legislative concessions aimed to stimulate and intensify production activities in this country. The use of frozen funds for this purpose would solve the foreign exchange problem, create two-way import and export traffic, thaw out frozen assets and generally benefit the industry here.

Official and industry circles foresee the transfer of considerable American quota production to England with films of high Hollywood standard.

The Cinematograph Exhibitors Association today conferred on the situation, but withheld opinions pending the debate in the House of Commons on Thursday on the motion raised by Arthur Greenwood, Labor party chief, and pending further knowledge of the distributors' proposals to the Board of Trade. Meanwhile, the C.E.A. view will be expressed by members of Commons on Thursday.

The Board of Trade has invited only British distributors handling American films to a conference at Whitehall tomorrow. Labor unions will meet with members of Parliament at Westminster tomorrow.

Selznick Seeking 1940 Film Stories

Kay Brown, head of the Selznick International story department, with headquarters in the East, is searching for new story material for 1940 product.

Three players in particular for whom the material is sought are Vivian Leigh, Ingrid Bergman and Joan Fontaine, all under contract to David O. Selznick.

Selznick production will cease temporarily on the completion of "Rebecca," which is expected about Dec. 15. The studio will resume production in the early Spring.

41 New Films Now in Work In Hollywood

HOLLYWOOD, Oct. 10.—Forty-one pictures were before the cameras this week as nine started and 14 finished. Twenty-five were being prepared, and 79 being edited.

Started were: "Roll, Wagons, Roll," Monogram; "Opened by Mistake," "Road to Singapore," Paramount; "Sunset," "Mexican Spitfire," "Swiss Family Robinson," RKO; "He Married His Wife," "Grapes of Wrath," 20th Century-Fox; "Timber," Warners.

In addition to these, shooting were: "The Incredible Mr. Williams," "Blondie Brings Up Baby," "His Girl Friday," "Street of Missing Women," Columbia; "Raffles," Goldwyn; "Broadway Melody of 1940," "A Call on the President," "The Secret of Dr. Kildare," "Nick Carter," M-G-M; "Gun Chores," Paramount; "Escape to Paradise," Principal; "Vigil in the Night," "Abe Lincoln in Illinois," "That's Right, You're Wrong," "Legion of the Lawless," RKO; "Zorro's Fighting Legion," Republic; "Of Mice and Men," Roach; "Rebecca," Selznick; "Swanee River," "The Bluebird," "The Adventurer," "Daytime Wife," "Everything Happens at Night," "Little Old New York," 20th Century-Fox; "First Love," "Green Hell," "The Green Hornet," "Destry Rides Again," Universal; "Send Another Coffin," Wanger; "Invisible Stripes," "The Fighting 69th," "Brother Rat and the Baby," Warners.

Finished were: "Northwest Passage," "The Runaway," "Judge Hardy and Son," M-G-M; "Typhoon," "The Gay Days of Victor Herbert," "The Farmer's Daughter," Paramount; "Hunchback of Notre Dame," RKO; "Washington Cowboy," "Covered Trailer," Republic; "20,000 Men a Year," "The Man Who Wouldn't Talk," "The City," 20th Century-Fox; "Tower of London," "Test Driver," Universal.

Columbia and M-G-M each are shooting one short subject. Warners finished one.

FLY American TO LOS ANGELES OVERNIGHT
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GIANT FLAGSHIP SKYSLEEPERS
AT 5:10 P. M. AND 10:10 P. M.
DAYLIGHT FLIGHT AT 7:10 A. M.
For reservations call your Travel Agent or HAvemeyer 6-5000. Ticket offices 45 Vanderbilt Ave. and Rockefeller Center at 18 W. 49th Street.
AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHIPS

Purely Personal

MURRAY SILVERSTONE, United Artists chief executive, is scheduled to leave the Coast for New York by train today, arriving here on Saturday.

•

FRANCES MARION KRIDEL, daughter of MR. and MRS. HARRY A. KRIDEL of South Orange, N. J., will be married today to RICHARD C. CARTON at Our Lady of Sorrow Church in South Orange. KRIDEL heads a theatre circuit bearing his name, and CARTON is associated with the circuit.

•

LOUIS NIZER, CHARLES E. MCCARTHY, MORRIS KINZLER, WILLIAM RODGERS, SAM SHAIN, TOBY GRUEN, HOWARD DIETZ, MAX A. COHEN, ED SAUNDERS and SIDNEY PHILLIPS lunching at Nick's Hunting Room at the Astor yesterday.

•

LEO ROSTEN, director of the Motion Picture Research Project, Hollywood, will speak at the New School for Social Research here tomorrow evening, as part of the course on Propaganda and the Measurement of Public Opinion.

•

JOHN L. FRANCONI, Monogram Texas franchise holder with EDWARD BLUMENTHAL, this week celebrates 24 years in the film industry.

•

BEN GOETZ, M-G-M production executive, will remain several weeks at Doctors' Hospital where he is recovering from an operation.

•

MRS. LARRY COWAN, wife of the manager of the Fabian Grand at Albany, is confined to her home due to illness.

•

ROBERT S. BENJAMIN of the law firm of Phillips & Nizer left Monday night for the Coast by plane.

•

DAVID CHATKIN has moved back to New York.

•

The JAMES J. WALKERS have bought a house at Sands Point, L. I.

•

DEL GOODMAN, manager for 20th Century-Fox in the Far East, who has been visiting in the United States since July, sails Sunday on the *President Coolidge* for Shanghai.

•

M. R. CLARK, JR., son of Paramount's branch manager in Cleveland, and whose brother is sales manager for Paramount in Pittsburgh, will be married in Columbus Saturday to MARY HERSCHBERGER.

•

ROBERT R. WILKES of M-G-M has been awarded the Gold Service Medal of the Grand Lodge of Masons of the State of New York. The honor is conferred on those who have been Masons for 50 years.

•

ROBERT SMELTZER, Warner central district manager, with headquarters in Washington, was in town yesterday conferring with ROY HAINES, eastern and Canadian sales manager.

•

EDWARD DELANEY, screen writer, has returned from Europe where his plans to work for a British studio were interrupted by the war.

•

J. ELDON PEEK, president of Oklahoma Theatre Supply Co., is back on the job after having his tonsils removed last week.

•

BERNARD B. BRANDT, of the Brandt circuit, yesterday disclosed his engagement to MISS BABETTE SCHARLIN.

•

JERRY SHOLER, manager of Warners' Ohio in Sandusky, O., was a visitor in town yesterday.

•

JOHN A. SCHWALM, manager of the Rialto, Hamilton, O., and his son CHARLES are visiting in New York.

•

AL SHERMAN of the Columbia publicity department will return Monday from a Miami vacation.

•

HARRY GOLDBERG, Warners theatres publicity chief, is in Philadelphia today for an advertising meeting.

•

JACK CURRY, Paramount exchange manager in Oklahoma City, was in the hospital following a heart attack.

•

JOSEPH R. VOGEL, Loew theatre executive, is convalescing from a recent illness.

Funeral Rites Today For Walter Hayner

Funeral services for Walter Hayner, general sales manager of Regal Films of Canada, will be conducted at 3:30 P. M. today at the Campbell funeral parlor, 81st St. and Madison Ave. Hayner, 48, died Friday in Toronto as a result of a heart attack following an illness of about three months.

Burial will be at Fresh Pond cemetery, Middle Village, L. I.

Hayner had been in the film business in Canada 14 years. Born in New York, he went to England at an early age and was in the art and antique business in London for a short period.

After returning to the United States, he became connected with the Goldwyn Co., when Felix F. Feist was sales manager, and was manager of the Washington branch. On Feist's recommendation, he was assigned as M-G-M salesman in Canada, later becoming general sales head of Regal Films, which distributes M-G-M and other companies' product.

Survivors are the widow, Florence, and a daughter, Margaret.

Arthur Silverstone Gets UA Post Here

Arthur Silverstone, until recently general sales manager for United Artists in Great Britain, yesterday was named assistant Eastern general sales manager of the company here. The appointment was made by Harry L. Gold, vice-president and Eastern general sales manager, on his return yesterday from a trip through the southern territory.

'Skylark' Opening

Opening tonight at the Morosco is "Skylark," by Samson Raphaelson, a story of a business man who lets work interfere with marriage. John Golden is the producer and Raphaelson directed. The cast includes Gertrude Lawrence, Glenn Anders, Donald Cook, Walter Gilbert, Gertrude Bryan and others.

Theatres See Early Upturn At Box Offices

(*Continued from page* 1)

much activity at Norfolk and other Virginia seaport towns as a result of a spurt in shipbuilding. Vincent is optimistic about theatre prospects and believes the proposed "cash and carry" purchase plan would eventually redound to the industry's benefit.

Joseph Bernhard, president and general manager of Warner Theatres, says that Pittsburgh steel mill activity has not as yet resulted in theatre improvement there and that the benefits, if any, will not be reflected for about 60 days.

An Associated Press survey, made public yesterday, discloses that economists in various parts of the country believe the United States is entering on a substantial business recovery period which may last for some time. While it was agreed that the war had contributed to the upturn, healthy domestic business conditions were accorded almost equal credit.

Chicago Area Theatres Find Business Better

CHICAGO, Oct. 10.—Theatres in the steel mill area continue to find business on the upgrade. Reports this week show the steel mills running at 82.2 per cent of capacity. This means that few steel workers are unemployed and that business in the Gary, Ind., and South Chicago areas is excellent.

From downstate Illinois reports of a bumper corn crop indicate good business for the coming months. Increasing prices for corn, pork and beef are signs that business in the downstate theatres will be better than average this Fall.

This improvement in the farm situation is also beneficial to Chicago which draws heavily on the farming territory for trade.

Schenck to Coast

Nicholas M. Schenck, president of Loew's, is due to arrive on the Coast tomorrow by train for studio conferences with Louis B. Mayer, vice-president in charge of production. Schenck, who had been planning the trip for some time, left Monday night.

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MARX BROS. "AT THE CIRCUS"

Groucho—Chico—Harpo MARX BROS. "AT THE CIRCUS" with Kenny Baker • Florence Rice • Eve Arden • Margaret Dumont • Nat Pendleton • Screen Play by Irving Brecher • Directed by Edward Buzzell • A MERVYN LEROY Production • An M-G-M Picture

ALLEY-OOP!



I THANK YOU
—Leo

'Intermezzo' Gets $11,800, Philadelphia

PHILADELPHIA, Oct. 10.—"Intermezzo" led here with $11,800 at the Aldine. "Beau Geste" grossed $16,600 at the Stanley, while "Dancing Co-Ed" at the Earle, with Phil Spitalny and his girl orchestra on the stage, drew $18,500.

Estimated takings for the week ending Oct. 5:

"Intermezzo" (U. A.)
ALDINE—(1,700) (32c-42c-57c) 7 days. Gross: $11,800. (Average, $8,000)

"The Under-Pup" (Univ.)
ARCADIA—(600) (32c-42c-57c) 7 days, 2nd run. Gross: $2,000. (Average, $ 2,600)

"The Women" (M-G-M)
BOYD—(2,400) (32c-42c-57c) 10 days, 2nd week, plus 3 days. Gross: $15,400. (Average, 7 days, $10,000)

"Dancing Co-Ed" (M-G-M)
EARLE—(2,400) (32c-42c-57c-68c) 6 days (closed Sundays). Stage: Phil Spitalny and his "Hour of Charm" all-girl orchestra. Gross: $18,500. (Average, $16,000)

"Honeymoon in Bali" (Para.)
FOX—(3,000) (32c-42c-57c) 9 days. Gross: $11,000. (Average, 7 days, $13,000)

"The Old Maid" (W. B.)
KARLTON—(1,000) (32c-42c-57c) 7 days, 2nd week, 2nd run. Gross: $4,200. (Average, $3,000)

"Fifth Avenue Girl" (RKO)
KEITH'S—(2,200) (32c-42c-57c) 9 days, 2nd run. Gross: $3,800. (Average, 7 days, $3,000)

"Beau Geste" (Para.)
STANLEY—(3,700) (32c-42c-57c) 7 days. Gross: $16,600. (Average, $14,000)

"The Rains Came" (20th-Fox)
STANTON—(1,700) (26c-32c-42c) 7 days, 2nd run. Gross: $4,900. (Average, $4,500)

A. F. L. Studio Crafts Form Coordination

HOLLYWOOD, Oct. 10. — American Federation of Labor crafts whose members work in motion picture studios formally banded together today for "coordination of union activities." Appointment of Joseph P. Tuohy, business representative of Studio Transportation Drivers Local 399, as temporary chairman, was announced. William Bioff has been asked to take the post of permanent chairman. Represented are 25 A. F. of L. locals. Moving Picture Painters Local 644 is not participating in the organization.

A. S. C. Votes Down I. A. Merger Plans

HOLLYWOOD, Oct. 10.—The American Society of Cinematographers, holding a bargaining contract with major studios for first cameramen, last night voted to reject any proposal which would make them a part of I.A.T.S.E. Photographers Local 659. Having been refused a separate charter from the Alliance, the A.S.C. has decided to continue under its own banner rather than merge itself with the local, claiming first cameramen could be outvoted by lesser workers.

Critics Circle Elects

The New York Critics Circle has elected Burns Mantle of *The News* president. Other officers are John Mason Brown of *The Post*, vice-president; Arthur Pollack of the *Brooklyn Eagle* and *Christian Science Monitor*, treasurer; Richard Lockridge of *The Sun*, corresponding secretary, and Helen Deutsch, secretary.

Hollywood Review

"Television Spy"

(*Paramount*)

HOLLYWOOD, Oct. 10.—The often-worked spy plot as a melodramatic entertainment artifice is exercised again in "Television Spy." Story structure is as it always has been; the only difference (and this, of course, is the production's novelty) is that the conspirators try to steal a long-distance television device. They don't succeed.

During the proceedings, however, William Collier, Sr., gets considerably riled at times and the hero, William Henry, is always furiously enraged. For a side issue, the picture introduces the first screen television romance. In this the hero falls in love with Judith Barrett, a girl from whom he is separated by a couple of thousand miles and whom he sees only on the television screen and talks to via radio.

Anyway, Henry, Collier and Richard Denning are developing television which shall be given to Uncle Sam when perfected. Dorothy Tree and John Eldredge are the pair who are trying to steal it for foreign agent Byron Foulger, who has valet Morgan Conway and trigger man Anthony Quinn as spotters to see that nobody doublecrosses him. The outcome is as expected.

Horace McCoy, William R. Lipman and Lillie Hayward evolved from Endre Bohem's original what possibly might have been an exciting yarn under other circumstances.

Running time, 55 minutes. "G."* G. McC.

**"G" denotes general classification.*

See Walsh as Labor Man for Producers

Hollywood, Oct. 10.—Unconfirmed reports today indicated that William R. Walsh, senior attorney for the National Labor Relations Board here, will be given the post as the producers' labor contact officer.

Form Variety Club At Oklahoma City

OKLAHOMA CITY, Oct. 10.—The local Variety Club has been granted a charter by the Secretary of State with L. C. Griffith, Horace Falls and Sol Davis as incorporators. In a membership drive 37 new members have been accepted, with a total membership of 75.

A committee consisting of Morris Loewenstein, Otto Rohde and Horace Falls has been appointed to negotiate a lease for permanent club headquarters in the Black Hotel. Charter membership will be closed Oct. 15 when formal opening of club headquarters will be held. Henry Griffing, attorney, has been selected as the club's counsel. The Oklahoma Variety club is Tent No. 22.

$1,250,000 Fox Suit Is Ordered to Trial

N. Y. Supreme Court Justice Isador Wasservogel yesterday ordered suit of Lexington Ave. and 59 St. Corp. for $1,250,000 breach of contract damages against William Fox to proceed to trial on Dec. 27.

The action, which originally included Fox Theatres Corp. and Milton C. Weisman as defendants, charges violation of an alleged agreement by the defendants to build a theatre and office building on a site owned by the plaintiff. Fox Theatres and Weisman have settled the suit brought against them.

Newsreel Parade

Sporting events take considerable footage in the new issues, with the World Series and major football games covered. War activities are featured. The reels and their contents follow:

MOVIETONE NEWS, No. 9—French troops on Maginot Line. Hitler with regiments in Poland. Mundelein laid to rest. Premiere of "Hollywood Cavalcade." Lew Lehr. World Series. Yale vs. Columbia and Notre Dame vs. Georgia Tech football games.

NEWS OF THE DAY, No. 207—Rumania avenges assassination of premier. Nazi troops in Poland. French advance on western front. Yanks take series. Fordham vs. Alabama and Notre Dame vs. Georgia Tech.

PARAMOUNT NEWS, No. 12—World Series. Planes over Minneapolis drop peace leaflets. Parley in Panama ends. Michigan vs. Michigan State, Northwestern vs. Oklahoma and Fordham vs. Alabama.

RKO PATHE NEWS, No. 24.—War activity in Poland, France, Belgium and Rumania. Mundelein lies in state. Pan-American conference closes. World Series. Yale beats Columbia.

UNIVERSAL NEWSREEL, No. 813—French guns fire on Nazi line. Duke of Windsor in France. New Polish Government set up in Paris. World mourns Mundelein. Yanks take World Series. Fordham vs. Alabama, Northwestern vs. Oklahoma and Notre Dame vs. Georgia Tech football games.

Connecticut Trade Aids Paralysis Fund

HARTFORD, Conn., Oct. 10.—The Connecticut film territory presented the Connecticut Chapter of the Infantile Paralysis Foundation a $1,500 contribution "in appreciation of what the motion picture-going public has done for the motion picture industry."

The check was received by Dr. Benjamin G. Horning, chairman of the Connecticut Foundation, from the committee, consisting of Lou Wechsler, chairman, Ben Simon, Thomas Donaldson, Barney Pitkin, Edward Ruff, Morris Joseph, John Pavene and T. O'Toole, at a special luncheon.

A Helping Hand

Kansas City, Oct. 10.—Variety Club stepped into the breach when George Welcher, Superintendent of Schools, announced that more than 1,000 school children were inadequately clothed and too hungry to study. Because the state legislature this spring failed to appropriate enough for relief, the situation developed. Variety Club immediately supplied a check for $100 to take care of immediate needs while social agencies and other groups are evolving a plan for a more permanent solution of the problem.

Sidney Gives Help To 'Night of Stars'

Louis K. Sidney, Loew radio and theatre executive, will join in the direction of the "Night of Stars," refugee benefit to be held Nov. 15 in Madison Square Garden, upon his return here from the Coast in about a week. Sidney is chairman of the producing committee for the big show.

This information was given at a meeting of the committee yesterday in the office of Marvin Schenck of Loew's. Schenck and Ben Boyar are associate chairmen.

Others attending the meeting were Jesse Kaye, Arthur Knorr, Leon Leonidoff, Herbert Rosenthal, John Shubert, Harry Mayer, Frank Roehrenbeck, Harry Kalcheim, Lester Isaac and Samuel Chotzinoff.

Ruling Bans Sunday Movies in Georgia

ATLANTA, Oct. 10.—The State Court of Appeals, in upholding Superior Judge James C. Davis' denial of a new trial to the operators of a suburban theatre, handed down a decision which would ban all Sunday motion pictures throughout Georgia.

The ruling placed the operation of all theatres in the same category as department stores or other commercial enterprises, which are prohibited from handling Sabbath business.

The theatre, although it turned all Sunday proceeds to a hospital, had been convicted of violating the state law banning Sabbath labor.

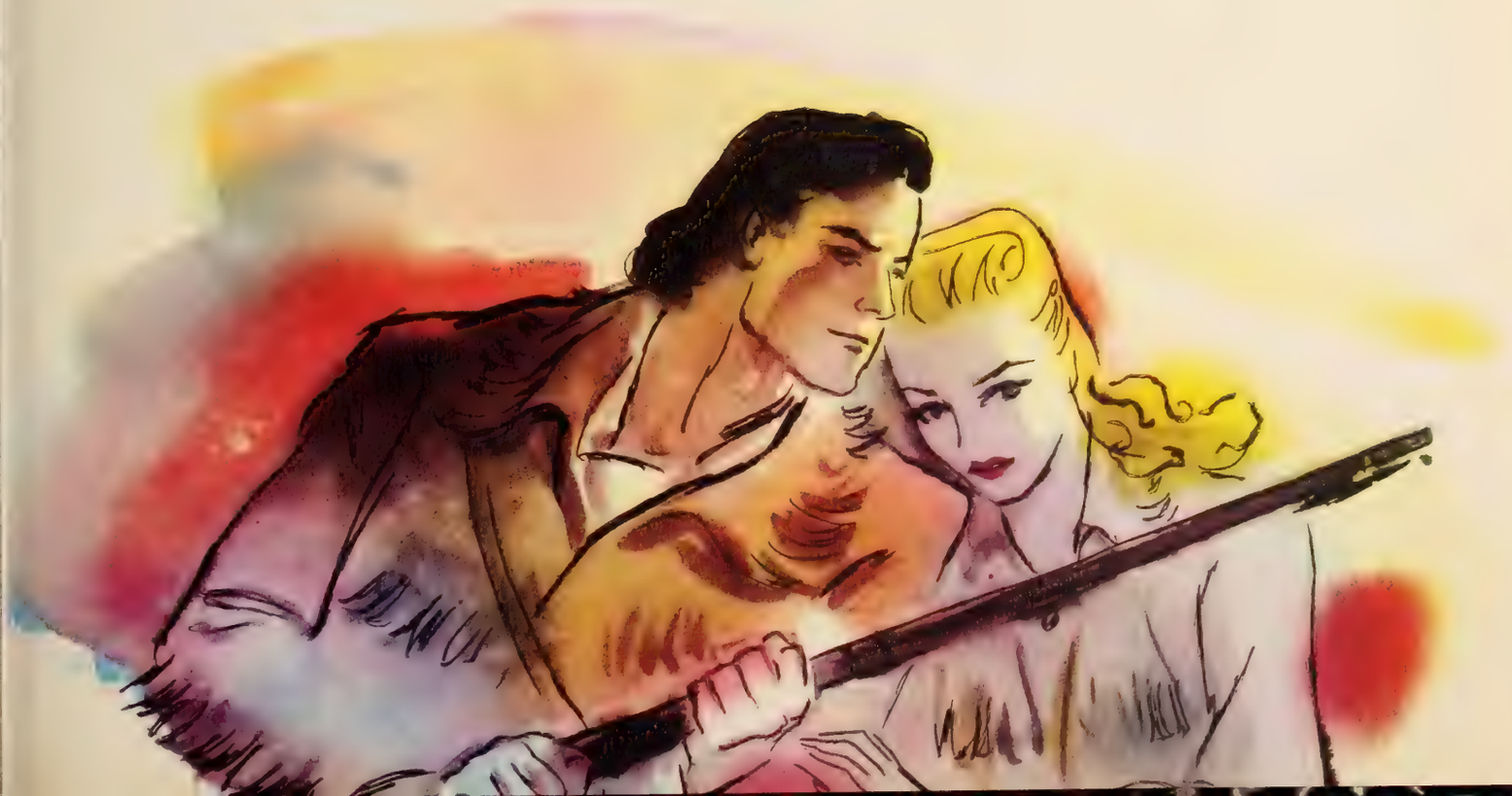
Music Hall Chiefs Fete Van Schmus

Executives and department heads of Radio City Music Hall were hosts yesterday at a surprise birthday party luncheon for Managing Director W. G. Van Schmus. Present were G. S. Eyssell, Leon Leonidoff, Erno Rapee, Russell Markert, Florence Rogge, Hattie Rogge, Gene Snyder, Hazel Flynn, Eugene Braun, Robert Henderson, Runo Maine, Marco Montedoro, Fred A. Cruise and Willa Van, all members of the "Music Hall Family."

Stoneham Loses

Examination before trial of Stephen A. Lynch in a suit which seeks $250,000 from him for legal fees allegedly due to David Stoneman, Boston attorney, was denied yesterday by N. Y. Supreme Court Justice Church.

A FIGHTING MAN AND AN UNTAMED BLONDE IN BUCKSKIN... IN RKO RADIO'S HEROIC DRAMA OF PIONEER DAYS!...



WESTWARD TO GLORY THESE HEROES STORMED THE PENNSYLVANIA FRONTIER! — *and in the vanguard, America's First Rebel and the girl who fought by his side!...What a theme for screen greatness! . . . What a ringing, rousing, melodramatic sensation to hand a director—with resources enough to produce it on a scale as mighty as the theme! . . . No wonder RKO RADIO is shouting from the housetops that it has one of the greatest action shows ever produced—silent days included!*



ALLEGHENY UPRISING



starring

CLAIRE TREVOR
JOHN WAYNE *with*
GEORGE SANDERS • BRIAN DONLEVY
WILFRID LAWSON • ROBERT BARRAT

JOHN F. HAMILTON • MORONI OLSEN
EDDIE QUILLAN . . .

Produced by P. J. Wolfson
Directed by William A. Seiter
PANDRO S. BERMAN
in Charge of Production
Screen Play by P. J. Wolfson

RKO RADIO PICTURES

'Old Maid' Is Loop Winner With $46,000

CHICAGO, Oct. 10.—"The Old Maid," in the second week at the Chicago, and with Rochester and Betty Grable on the stage, scored a smashing $46,000. "Dust Be My Destiny" was strong with $15,800 at the Roosevelt.

Estimated takings for the week ending Oct. 4-7:

"Beau Geste" (Para.)
APOLLO—(1,400) (25c-55c-75c) 7 days, 2nd week. Gross: $4,800. (Average, $6,000)
"The Old Maid" (W. B.)
CHICAGO—(4,000) (35c-55c-75c) 7 days, 2nd week. Stage: Rochester & Betty Grable. Gross: $46,000. (Average, $32,000)
"What A Life" (Para.)
"U-Boat 29" (Col.)
GARRICK — (900) (35c-40c-65c) 7 days. Gross: $6,300. (Average, $5,000)
"Goodbye, Mr. Chips" (M-G-M)
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: Earl Hines Band & Revue. Gross: $15,500. (Average, $13,000)
"In Name Only" (RKO)
PALACE—(2,500) (35c-55c-75c) 7 days, 2nd week. Stage: Vaudeville Revue. Gross: $17,000. (Average, $18,000)
"Dust Be My Destiny" (W. B.)
ROOSEVELT — (1,300) (35c-55c-75c) 7 days. Gross: $15,800. (Average, $11,000)
"The Man They Could Not Hang" (Col.)
STATE-LAKE — (2,700) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $14,300. (Average, $12,000)
"The Women" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 3rd week. Gross: $15,400. (Average, $14,000)

C. I. O. Service Union Loses at 2 Theatres

State Labor Relations Board yesterday announced that collective bargaining agency elections held at the Franklin and Orient theatres in Harlem resulted in a defeat for United Theatrical and M. P. Service Employes Union, Local 258, a newly-chartered C.I.O. group. Ushers, cashiers, doormen and matrons were involved. The 12 votes cast were against the union.

I.A.T.S.E. officials declared that the employees had joined the new local, B-171, and that the I.A. had refused to participate in the S.L.R.B. elections.

Six Premieres Set For Mohawk Film

Twentieth Century-Fox plans six simultaneous premieres in towns in the Mohawk Valley on Nov. 2 for the film, "Drums Along the Mohawk," 14-reel color feature.

The theatres and towns are: Palace, Albany; Proctor's, Schenectady; Rialto, Amsterdam; Glove, Gloversville; Olympic, Utica, and Capitol, Rome, all in New York State. A group of players will be brought East for the opening from the Coast.

Whiteman Quiz Granted

Application of Paul Whiteman, Margaret Whiteman and the Artists Management Bureau, Inc., to examine Benjamin Sonnenberg before trial was granted yesterday by New York Supreme Court Justice Julius Miller. Sonnenberg is suing the Whitemans and Artists Management Bureau, claiming the breach in October, 1938, of a contract hiring him as publicity agent at $250 weekly. Defendants contend that Sonnenberg failed to obtain sufficient publicity.

New York Review

"Mutiny in the Big House"

(Monogram)

Here is an exciting, suspenseful film of prison life, one of the best in its class. Based on a story by Martin Mooney, it has novel twists that will ring the bell with many audiences and is made to order for theatres which play pictures of this type, with an all-male cast which performs creditably.

There is plenty of action, with Charles Bickford and Barton MacLane turning in outstanding performances as a prison chaplain and killer, respectively.

Suspense is strongly built up and sustained to the fadeout, which follows the big scene of an attempted jailbreak. There is more to the story than the plot, and it can be sold to audiences which ordinarily do not care for prison themes.

Dennis Moore is convincing as Johnny Davis, a petty forger by circumstance, who is assigned to a cell with Red Manson (MacLane), the prison's tough guy. Father Joe (Bickford) seeks to take Johnny under his wing, but Johnny, embittered, resists. Red, however, talks Johnny into taking a job in the library where he might be used for an escape plot. Red plants a code message in a book advising the inmates of the jailbreak, which is to take place the night of the annual show.

When the plot is discovered through a "squealer," Red decides to go through with it regardless. The guards in the machine shop are seized, and Red demands of the warden (Pat Moriarity) that he lead the prisoners through the gates to safety. The answer is "no," whereupon the ringleader kills two guards and tosses them out in the yard. Father Joe, alone and unarmed, comes to the machine shop and pleads with the mutineers. Johnny by now thinks the priest is a regular fellow and jumps to his rescue and is shot. Father Joe knocks out the ringleader, and in the ensuing melee the guards take control of the situation. As a reward, Johnny, having vindicated the faith the chaplain and warden placed in him, is due for an early parole.

The picture points out the need for penal reform and the intelligent handling of prisoners' problems after they are released. This is highlighted by an incident concerning Pop Schultz (George Cleveland), a whimsical old man who returns to the prison after serving 20 years because he knows no other home. Charlie Foy does well in a bit part as the producer of the show.

Grant Withers, associate producer, and William Nigh, director, may take a bow for their handling of Robert D. Andrews' screenplay. Harry Neumann's photography is well done. E. R. Hickson was technical director.

Running time, 83 minutes. "G."* ALFRED FINESTONE

"G" denotes general classification.

"Cavell" Is $12,200 Smash Buffalo Hit

BUFFALO, Oct. 10.—"The Women" at the Buffalo and "Nurse Edith Cavell" at the Twentieth Century were the best bets here, grossing $17,000 and $12,200 respectively.

Estimated takings for the week ending Oct. 7:

"The Women" (M-G-M)
BUFFALO—(3,000) (30c-35c-55c) 7 days Gross: $17,000. (Average, $12,000)
"The Rains Came" (20th-Fox)
GREAT LAKES—(3,000) (30c-50c) 7 days, 2nd week. Gross: $6,300. (Average, $7,500)
"Here I Am a Stranger" (20th-Fox)
"Charlie Chan at Treasure Island" (20th-Fox)
HIPPODROME—(2,500) (25c-35c) 7 days. Gross: $5,300. (Average, $6,800)
"Nurse Edith Cavell" (RKO)
"The Day the Bookies Wept" (RKO)
TWENTIETH CENTURY—(3,500) (25c-35c) 7 days. Gross: $12,200. (Average, $5,200)
"Unexpected Father" (Univ.)
"Society Smugglers" (Univ.)
LAFAYETTE—(3,300) (25c-35c) 7 days. Gross: $6,300. (Average, $6,300)

Kuykendall Here

Ed Kuykendall, M.P.T.O.A. president, will arrive in New York this morning from Buffalo where he attended the meeting of the M.P.T.O. of Western New York, an affiliated unit. Kuykendall will be here a week or 10 days. He is scheduled to speak at the S.M.P.E. convention at the Hotel Pennsylvania next week.

"Avenue" at $6,500 Indianapolis Lead

INDIANAPOLIS, Oct. 10.—"Fifth Avenue Girl" and "Conspiracy" grossed $6,500 in a week otherwise quiet. "Each Dawn I Die" drew $8,800 at the Lyric. The weather was warm.

Estimated takings for the week ending Oct. 5-6:

"The Rains Came" (20th-Fox)
"Charlie Chan at Treasure Island" (20th-Fox)
APOLLO—(1,100) (25c-40c) 7 days, 2nd week. Gross: $2,300. (Average, $2,500)
"Honeymoon in Bali" (Para.)
"Two Bright Boys" (Univ.)
CIRCLE—(2,800) (25c-40c) 7 days. Gross: $6,000. (Average, $6,000)
"Fifth Avenue Girl" (RKO)
"Conspiracy" (RKO)
INDIANA—(3,200) (25c-40c) 7 days. Gross: $6,500. (Average, $5,000)
"Blackmail" (M-G-M)
"Coastguard" (Col.)
LOEW'S—(2,800) (25c-40c) 6 days. Gross: $6,200. (Average, $7,000)
"Each Dawn I Die" (W. B.)
LYRIC—(2,000) (25c-40c) 7 days. Stage: Vaudeville. Gross: $8,800. (Average, $8,000)

Mayor Kelly Sees Films

CHICAGO, Oct. 10.—"The Monroe Doctrine" and "The Bill of Rights," two Warner short subjects, will be given special screenings before city and civic leaders on Thursday here. Mayor Edward J. Kelly will attend with other officials.

Film Writers Rejoice Over Job Situation

HOLLYWOOD, Oct. 10.—An optimistic view of writers' employment conditions was voiced last night at a meeting of the Screen Writers Guild, called to discuss threatened salary cuts and retrenchments.

Following the session, the Guild issued this statement:

"Between 310 and 320 writers are working in major studios now. There have been no instances to date of writers' salaries being cut, it was revealed by a checkup at an open board meeting of the S.W.G. tonight. The facts submitted by chairmen of shop committees of various studios showed that there is only a slight reduction compared to employment figures of August, the last peacetime month.

War's Effects Belittled

"An additional note of encouragement was provided by reports from members with unofficial contact in Washington that Government estimates tend to disprove alarmists' rumors about the effects of the war on the industry. These reports pointed out that even if all motion picture theatres in the belligerent countries were shut down completely the revenue would drop less than 10 per cent and the slack would be taken up by increased profits from other markets, particularly as British, French and German competition vanished.

"The question of money embargoes, it was brought out, is not a new one. Such embargoes in most of the countries involved have existed for several years and film companies have found means to circumvent this obstacle."

Warners Adopt Dual Bills in Philadelphia

PHILADELPHIA, Oct. 10.—Warner Brothers Circuit has definitely decided to institute double features in its theatres here, but the date for the policy change, and the theatres to be affected, are still uncertain, according to Ted Schlanger, district manager.

The double feature showings will be confined to neighborhood theatres and some of the smaller downtown houses, in all probability, with first run theatres continuing the traditional Philadelphia policy of single features.

Schlanger has been conferring with Joseph Bernhard, head of Warner theatres, in New York.

Films on Liberty's Short Short Stories

A new series of one reel short subjects based on *Liberty Magazine's* short short stories will be produced by Jerry Fairbanks and Robert Carlisle of Scientific Films for Paramount release.

The new series will be produced in Hollywood and will be known as the "Bits of Life" series. Each reel will contain two of the short stories. Lou Diamond, head of Paramount's short subject department, will decide the number of subjects to be included in the series after test engagements of the first have been held.

War Interest Spurs Films Over Canada

TORONTO, Oct. 10. — British films which were produced with the co-operation of the British War Office and the Admiralty in the past couple of years are having a renewed lease on life in Canada because of wartime interest, although they did not receive more than passing attention when they were first released. No British features have been received in the Dominion since the start of the war, it is stated in Toronto film trade circles, but the pre-war British films are being dusted off and a number of them are now booked solid with both new and repeat dates.

"You're in the Army Now," produced with the active assistance of the War Office about three years ago, almost went begging when it was released as a new feature in the Dominion but this comedy-drama is now in considerable demand because of the change in sentiment. "Our Fighting Navy," which had the Admiralty's active encouragement, has also become a popular screen attraction and the Canadian prints are in demand. "Secret Agent" now rates as a timely feature as well and new advertising accessories have been prepared for current use.

Film exchanges have been searching their vaults for features to satisfy the new wartime taste. A notable reissue of this type of Hollywood origin is "The Eagle and the Hawk" which was produced in 1933. This was booked by the Radio City Theatre, a Toronto independent house, and proved so successful that it was held over for an extra three days. Another current Hollywood hit is "Wings of the Navy," which is playing to packed houses.

Kansas City Gives 'Old Maid' $7,500

KANSAS CITY, Oct. 10.—"The Old Maid" and "The Hidden Staircase" earned $7,500 at the Orpheum. "Honeymoon in Bali" did $9,300 at the Newman. Mild clear weather and no outside competition helped.

Estimated takings for the week ending Oct. 3-5:

"When Tomorrow Comes" (Univ.)
ESQUIRE—(800) (25c-40c) 7 days. Gross: $2,800. (Average, $3,000)
"Blackmail" (M-G-M)
"Hidden Power" (Col.)
MIDLAND — (4,000) (25c-40c) 7 days. Gross: $8,500. (Average, $11,500)
"Honeymoon in Bali" (Para.)
NEWMAN — (1,900) (25c-40c) 7 days. Gross: $9,300. (Average, $7,000)
"The Old Maid" (W.B.)
"The Hidden Staircase" (RKO)
ORPHEUM — (1,500) (25c-40c) 7 days. Gross: $7,500. (Average, $5,000)
"Adventures of Sherlock Holmes" (20th-Fox)
TOWER — (2,200) (25c) 7 days. Stage: Chic & Lee, Sandy Lang's Three Flames, Monahan & Morris, Hawaiian Revue. Gross: $4,800. (Average, $5,000)
"When Tomorrow Comes" (Univ.)
UPTOWN—(2,000) (25c-40c) 7 days. Gross: $3,500. (Average, $3,500)

See 202 Reels in Week

COLUMBUS, Oct. 10.—Ohio censors reviewed a total of 202 reels for the week ending Oct. 6, the biggest number in any seven-day period for the last year or more. There were only four eliminations.

Theatre, Personnel Notes

Open Iowa Theatre

POCAHONTAS, Ia., Oct. 10.—The Rialto has opened here. The house is owned by Jack Bouma and seats 432.

Plan Amboy, Ill., House

AMBOY, Ill., Oct. 10.—August Marchesi is enlarging his two-story building in order to build a new 500-seat theatre. Work on the building starts this Fall.

Illinois Opening Set

VIRGINIA, Ill., Oct. 10.—Opening of the Virginia will take place late this month, according to C. K. Heidbreder and Klinger Smith, who recently took over the theatre and remodeled it.

Open Wisconsin House

JANESVILLE, Wis., Oct. 10.—The Myers Theatre has opened here after complete remodeling.

Remodel Illinois Theatre

GILLESPIE, Ill., Oct. 10.—The Lyric, which is operated by the Frisina Circuit, is being thoroughly remodeled. An entire new front of chromium and glass will be installed.

Buys Iowa Theatre

DALLAS CENTER, Ia., Oct. 10.—Paul Anderson has purchased the Dallas Center Theatre from G. McCallum. Mrs. O. A. Thompson will manage the house for Anderson.

Remodel Iowa House

STORM LAKE, Ia., Oct. 10.—A third theatre will be opened here this Fall. The old Empire is being remodeled. It was formerly operated by George Norman, who operates the Vista.

Open Fox Midwest House

KANSAS CITY, Oct. 10.—Fox Midwest Theatres, Inc., has opened its new $200,000 Isis. Morrill Moore is managing, and he will continue with the Apollo also, which has been the pinch hit house while the Isis was being rebuilt. Scale at the Isis has been upped from 25 to 30 cents for double bills.

Takes Kansas Theatre

KANSAS CITY, Oct. 10.—Arnold Kloxin has taken over the Rialto at Marysville, Kan., from Leonard Smith.

Buys House at Oswego, Kan.

KANSAS CITY, Oct. 10.—Nick Kotsis, who operates the Holden at Holden, Mo., has taken over the Nu-Era at Oswego, Kan., from H. H. Daniels.

Buys Colorado Theatre

DENVER, Oct. 10.—J. Al Fischer will take over the Empress Theatre at Hugo, Col., from E. G. Weiselmann. The latter also has houses in Limon and Palisades, Col.

Shafer Gets New Theatre

W. E. Shafer, who operates the Strand, in Irvine, Ky., the Gray, in Grayson and the Trail in Morehead, Ky., has taken over the Cozy in Morehead, Ky.

Remodel in Michigan

SHELBY, Mich., Oct. 10.—Emmet F. Roche is planning to remodel and re-equip the Shelby. Plans for the enlarging of the auditorium from 400 to 500 are being discussed. It is also possible a new theatre may be built to replace the present house.

House to Gregory

CHICAGO, Oct. 10.—The Gregory circuit has taken over the Mars in Marseilles, Ill., from A. R. Workman, the former owner. C. E. Hartford is manager of the theatre.

Reopening in Michigan

LAKEVIEW, Mich., Oct. 10.—The Liberty here will be reopened by Roy Taylor late in October. It will be remodeled and renamed.

Fire Destroys Theatre

MARTINSVILLE, Ind., Oct. 10.—The Indiana here was destroyed by fire recently. The damage amounted to $25,000. It was covered by insurance.

Takes Wisconsin House

WASHBURN, Wis., Oct. 10.—H. A. Stubfors of Cloquet, Minn., has taken over the Rex Theatre. The house will be renamed the New Lake. Remodeling is about completed.

Marlow Theatre Opens

HERRIN, Ill., Oct. 10.—The New Marlow Theatre has opened here. John Marlow is manager.

Buffalo Removes Ban on Children

BUFFALO, Oct. 10.—With the opening of the city's public and parochial schools yesterday, the Health Department lifted its ban on public assemblages of children under 14. Quick to act in the situation, Sheas announced that all their community theatres will hold "after school matinees" this week.

The Shea circut said it is opening theatres at the unusual late afternoon hours in response to many requests that children be granted a special show. Programs of special interest to children will be presented, starting at 4 P. M. Performances will be continuous to closing.

Columbus Day Law Puzzles Theatres

PROVIDENCE, Oct. 10.—Rhode Island exhibitors were in a quandary today concerning the opening hour on Columbus Day, a "complete" holiday in this state for the first time this year.

The law making Oct. 12 a "complete" holiday requires all businesses to conform to restrictions governing them on Sundays, and the Sunday movie law forbids beginning of exhibition before 2 P. M.

Showmen who had counted on opening at 11 A. M. as on other holidays were wondering what to do. The Attorney General promised that the law would be enforced.

Para. Stars to Detroit

DETROIT, Oct. 10.—Paramount will send John Howard, Akim Tamiroff, Robert Preston, Olympe Bradna, Patricia Morison, Susan Hayward and J. Carroll Naish to Detroit for the premiere of "Disputed Passage" on Oct. 19. The auto industry is supporting the premiere.

Washington's Variety Plans Charity Show

WASHINGTON, Oct. 10.—The local Variety Club plans another outdoor affair, to be called "Cavalcade of Thrills," to be held Oct. 13-14 at Griffith Stadium. The proceeds will go to the charitable ventures sponsored by the local unit.

Carter Barron heads the committee in charge. Barron was in charge of similar events previously, one of which, last year, brought a citation from national Variety Club headquarters. It provided a premature baby station for the city at the Sibley Memorial Hospital. Sam Galanty is vice-chairman.

The committees include: Tickets, Sidney Lust, chairman; Edward Plohn, Sam Wheeler, Edward Fontaine, Nat Browne, Nate Golden, Harry Brown, Charles Rosenthal, Charles Olive and Sam Flax; field committee, Hardie Meakin, chairman; Edward Melniker, Gene Ford, Andrew Kelley, Nelson Bell, Jay Carmody, Adlai Mann, Clark Davis, Tony Muto and Gerald Price; stadium supervisor, Archie Engel, chairman; Harry Lohmeyer, Joe Kaliski, Harvey Schneider, Charles Schulman, Vincent Daugherty and Eddie Haley; publicity, Ray Bell, chairman; William Hoyle, Ernie Johnson, Andrew Kelley, Nelson Bell, Jay Carmody, Gordon Hittenmark, William Dolph, Art Brown and Carlton Duffus.

Robert Addie, press agent for Catholic University, has been obtained full time to assist in publicity. Sam Galanty will act as finance chairman, with Rudolph Berger and Sidney Lust as aides. Local Chief Barker A. E. Lichman heads the advisory board.

'Girls,' Cantor Take $34,500, Pittsburgh

PITTSBURGH, Oct. 10.—"These Glamor Girls" and Eddie Cantor on the stage snagged a near-record $34,500 at the Stanley, while "The Rains Came" at the Senator in the third week, scored $3,800.

Estimated takings for the week ending Oct. 5:

"Here I Am a Stranger" (20th-Fox)
ALVIN — (1,900) (25c-35c-50c) 7 days. Gross: $6,700. (Average, $7,000)
"Stanley and Livingstone" (20th-Fox)
FULTON—(1,700) (25c-40c) 4 days 4th week. Gross: $2,700. (Average, 7 days, $5,000)
"Blackmail" (M-G-M)
LOEW'S PENN—(3,600) (25c-35c-50c) 7 days. Gross: $12,000. (Average, $13,000)
"The Rains Came" (20th-Fox)
SENATOR—(2,000) (25c-35c-50c) 7 days, 3rd week. Gross: $3,800. (Average, $3,500)
"These Glamor Girls" (M-G-M)
STANLEY—(3,600) (25c-40c-60c) Stage: Eddie Cantor, Leni Lynn, Fairchild and Carroll, Stuart Morgan Dancers, Bert Gordon, Mr. Guffey, "Miss Manhattan," Norma Shea. Gross: $34,500. (Average, $17,000)
"Down South" (RKO)
"Saint in London" (RKO)
WARNER — (2,000) (25c-40c) 7 days. Gross: $4,000. (Average, $5,000)

Brandt Names Kahn

Harry Brandt, vice-president of Film Alliance of the United States, Inc., has named Henry W. Kahn general sales manager. Kahn formerly was Continental sales manager in Europe for 20th Century-Fox, and also worked abroad for M-G-M.

FAME IS ON
THE WAY!

FAME

The Audit of Personalities

SCREEN
CONCERT
RADIO

FIFTH ANNUAL EDITION
NOW IN PREPARATION BY
THE WORLDWIDE STAFF OF
QUIGLEY PUBLICATIONS
EDITED BY TERRY RAMSAYE

QUIGLEY PUBLICATIONS
ROCKEFELLER CENTER, NEW YORK

Radio Programs

Herman Shumlin has signed for 50-word announcements for his Broadway show, "The Little Foxes." Announcements will be made for seven weeks over WOR immediately preceding the football broadcasts Saturdays. Donahue & Coe is the agency.

The Shuberts have renewed for six weeks similar announcements on behalf of "Hellzapoppin'," "Streets of Paris" and "Strawhat Revue." These announcements are heard over WOR Monday through Saturday, varying between 4:45 and 5:45 P. M. Blaine-Thompson is the agency. . . .

Colgate-Palmolive-Peet has renewed two serials heard over CBS, effective Jan. 1. "Stepmother," heard over 26 CBS stations Moday through Friday, at 10:45 A. M., and "Woman of Courage," over 20 CBS stations on the Dixie network at the same times are the programs. Former will be used on behalf of Colgate toothpowder and the latter for Octagon products. Benton & Bowles is the agency. . . .

David Lowe has shifted his "Sound Track" program to a new time, 12:15 P. M. Monday through Saturday over WNEW. . . ."Name Three," heard Wednesdays over Mutual at 8 P. M. on behalf of Dunhill cigarettes has shifted to Saturdays at 8 P. M. for Revelation smoking tobacco. . . .

Kondon Manufacturing Co. will sponsor weather reports Monday, Wednesday and Friday on behalf of Kondon nasal jelly on "The Rising Son" program heard on WABC Monday through Saturday at 6:35 A. M. Addison, Lewis & Associates, agency. . . .

Pepsi - Cola (Newell - Emmett, agency) has signed for 13 weeks for the "Uncle Don" program, heard Monday through Saturday at 6 P. M. over WOR. . . . Bristol-Myers for Sal Sepatica has renewed for 52 weeks Mark Hawley's news broadcasts, heard over WOR Tuesday, Thursday and Saturday at 12:30 P.M. Young & Rubicam, agency.

Dufaycolor Files For Reorganization

Listing liabilities of $518,197 and assets of $119,717, Dufaycolor Co., Inc., filed a petition for reorganization under the Chandler Act in the U. S. District Court yesterday. Under the proposed plan of arrangement general unsecured creditors will receive 3 per cent notes payable in greater part three years after acceptance of the plan.

Largest creditor of Dufaycolor is Color Corp. holding $399,500 in five-year notes. The company, according to the petition, will make efforts within the next six months to raise $500,000 as working capital for continued operation.

CBS's War Reporter

Bill Henry, sports editor of the Los Angeles *Times*, has been named by CBS as its war front correspondent. Henry has obtained the approval of the British War Ministry and is now on his way to France from London.

New Transcription System Developed

New method of recording and reproducing transcription programs, the "RCA-NBC Orthacoustic Recording System," was announced by NBC yesterday. Only minor changes will be required on reproducing equipment, thus eliminating the necessity of purchasing new equipment.

The recording process retains the lateral cut but pre-emphasis on high frequencies and consequent under emphasis on lower frequencies will vastly improve reproduction on the higher and lower registers, it was said.

Special qualities claimed for the new process include high quality in reproduction, less distortion in high frequencies, less surface noise of background, natural tone reproduction of speech and greater tone fidelity in the reproduction of music. The process was developed in the course of experimenting with ultra-high frequencies for television.

It is available to NBC stations, subscribers to the Thesaurus library and users of RCA-cut records.

Companies May Cut Cooperative Ads

Several companies are considering complete elimination of appropriations for newspaper cooperative advertising of their pictures.

This is being considered along with other cash-conserving proposals which may or may not be included in retrenchment programs. From appearances, advertising managers are not being consulted on the move, ultimate decisions apparently being up to either general sales managers or company heads. However, several advertising managers voiced their approval of the proposal yesterday. Other expressed objections to it.

The industry spends about $1,000,000 to $1,500,000 annually on cooperative advertising, this representing the distributors' share of first run theatres' advertising in local newspapers. The expenditure ranges from $100,000 to $200,000 per company annually.

Sax Goes to Coast For Warner Parley

Sam Sax left for the Coast last night and will be given a new production assignment shortly. His definite activities will be determined when Jack L. Warner, vice-president in charge of production, now in New York, returns to the Warner studio in about two weeks. Sax, who was in charge of Warners British production, arrived recently from London. He has been discussing a new post with Jack L. Warner here and will confer with Harry M. Warner, president, on the Coast.

Trial of Newburgh Suit Drawing Near

Trial of the Orange County Theatres anti-trust suit against five distributors and the Paramount theatres in Newburgh, N. Y., operated by George Walsh, may be begun on Friday or Monday. The case is now eighth on the U. S. District court trial calendar here. Indications are that the trial will require about two weeks.

Radio Personals

J. R. Poppele, WOR chief engineer, speaks Thursday, Oct. 19 at Lehigh University on modern radio development. . . . Eddie Lyons, formerly with the Texas State web, has joined the announcing staff of KTUL, Tulsa. . . . Russell Black, WKY newscaster, has resigned to join the staff of WNAD, Norman, Okla. . . . Ruth Carhart, former CBS staff artist, joins the "Schaefer Revue" cast tomorrow. . . .

Lucius Beebe will replace Bide Dudley as Mutual's legitimate stage critic Monday. He will do a five-minute review immediately after the conclusion of the play. . . . Johnny Mercer and Hoagy Carmichael have just completed the score for a new musical. . . . The "Dead End Kids" will be guests of Kate Smith Friday, Oct. 20, at 8 P. M. over CBS. . . . Phil Lord, having returned from a Summer in Maine, is supervising production on "By Kathleen Norris." . . .

Betty Grable will be interviewed by George Jessel Friday Oct. 20 over NBC-Red. . . . Ken Ellington, CBS announcer, has left for the Coast for the announcing spot on "Gateway to Hollywood." . . . Irene Noblette has been signed for 12 additional weeks on the "Texaco Star Theatre." . . . Merle Oberon will be guest star on the Chase and Sanborn hour Sunday at 8 P. M. over NBC-Red.

40 Flee Theatre; Blast Kills Three

Forty persons was forced to leave the Gramercy Park Theatre, 23rd St. near Lexington Ave., yesterday morning when a pressing machine in the cellar of an adjacent cleaning and dyeing store exploded, killing three persons and injuring nearly a score.

Immediately following the blast, John De Lait, assistant manager of the house, and five staff members ushered patrons to the street. Arthur Caplan, manager, was en route to the theatre from his home at the time of the blast.

Damage to the theatre was slight. The house, however, will be forced to remain closed until permission to reopen is granted by city building authorities.

Rapf & Ruden operates the Gramercy Park which seats 598.

Defenses in Libel Suit Are Dismissed

Five defenses raised by Knickerbocker Broadcasting Co., Inc., to the $550,000 libel suit of Metropolitan Life Insurance Co., were dismissed yesterday by New York Supreme Court Justice Peter Schmuck. Knickerbocker had sought to claim that it was privileged to make a fair comment on a public question in answer to the plaintiff's charges.

Justice Schmuck ruled that Knickerbocker in allowing the Policyholders' Advisory Council and the Policyholders' Aid and Adjustment Bureau, other defendants, to broadcast, acted for a "commercial motive" and not on a public question. Defendant may amend its answer within 20 days under the decision.

Tramps in Newark? No, Mayor Protests

Mayor Ellenstein of Newark is disturbed no end because he has heard a rumor that Columbia plans to make a film titled "The Tramp from Newark" as a sequel to "Golden Boy."

Columbia says the rumor is false, but Mayor Ellenstein complained nevertheless to the Hays office against use of the title.

"Newark," said the Mayor, "has no tramps, male or female."

The Hays office denied such a film is planned.

Studios Face Small Cash-Carry Barrier

(*Continued from page* 1)

phases of the law are not regarded as particularly difficult to comply with.

See No Obstacles From Cash-Carry Plan

WASHINGTON, Oct. 10.—Possibilities that American motion picture companies might continue to do business in belligerent countries without obstruction from the "cash and carry" legislation now before the Senate, by operating through branches in neutral nations, were suggested unofficially here today.

While, under the pending neutrality bill, the American film producers could continue to do business in the belligerent countries on the same financial basis as at present, providing they were willing to take the risk, the title to the films would have to pass in this country and they would have to be transported on vessels of other than American registry.

It was suggested, however, that there was no restriction in the legislation on transactions with neutral countries, and it was pointed out that if an American company had an agency, say in Madrid or Oporto, it would be permissible to ship films to that agency, which then could re-ship them, still in its own name, to a belligerent nation. The pictures, however, would have to leave this country in a foreign-flag ship.

Producers' Corp. Signs John Thomas

HOLLYWOOD, Oct. 10.—Entering the production field, Producers Corporation of America today announced the signing of John Charles Thomas, opera and concert stage baritone, as their first star.

Officers of the corporation are George Green, president; Carl Winston, vice-president; Howard Levi, treasurer, and Harry Sokolow, secretary. The first picture to star Thomas will be an adaptation of Adela Rogers St. John's story, "Kingdom Come," scheduled to start in December. Seven others are planned.

Offers Radio Course

New York University radio workshop will offer a course in educational radio programs to teachers this Fall, it was announced by Douglas Coulter, workshop director, and assistant CBS program director.

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First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 72 NEW YORK, THURSDAY, OCTOBER 12, 1939 TEN CENTS

Longer Delay On RKO Plan; War to Blame

Bondy Anxious for Early Reorganization

The goal now set for completion of the RKO organization is late January or February.

This represents a nominal delay of about 45 to 60 days beyond the December date by which it had been hoped the reorganization could be completed at the time the U. S. Circuit Court of Appeals denied the appeals of RKO creditors from Federal Judge William Bondy's order approving the plan of reorganization.

Since that time the unforeseen development of a European war with its grave effects on the film industry intervened and resulted in the abandonment by Atlas Corp. of its offer to underwrite $1,500,000 of new RKO common stock. The underwriting offer expired Aug. 29 and was not renewed because of the war. Atlas, however, has stated that it is now working on a new underwriting proposal which, however, may be less favorable than the first because of the virtual certainty that it will take into account curtailed foreign revenues of the company due to the European war.

Preparation of the new underwriting offer will account for some of the delay anticipated in completing the reorganization. In addition, however, reorganization principals favor a wait of

(*Continued on page 7*)

All MPTOA Chiefs Due for Re-election

Ed Kuykendall, president, and all other officers of M.P.T.O.A. are scheduled for reelection at the annual meeting of the organization's board of directors Oct. 23 and 24 at the Greenbrier Hotel, White Sulphur Springs, Va.

Other officers are M. A. Lightman, Mitchell Wolfson, E. C. Beatty and A. Julian Brylawski, vice-presidents; Morris Loewenstein, secretary; Walter Vincent, treasurer, and Fred Wehrenberg, chairman of the board.

The board also will fill several vacancies, including that of general counsel and those created by expiring terms of board members. Nominations for the vacancies will be made at the meeting.

Kuykendall arrived in New York

(*Continued on page 8*)

Secrecy Veils Progress In British Trade Parleys

Commons Debate Attacks Government's Film Inactivity

LONDON, Oct. 11.—At the invitation of Oliver Stanley, president of the Board of Trade, a group representing producers, exhibitors and labor met at the Board of Trade today, for a discussion of plans for the regulation of the film industry during the war.

On a plea of promised secrecy, those in attendance declined to reveal the nature of the discussion. However, it is understood that Stanley was cross-examined as to his views in formulating a plan. It is believed he emphasized the need for soft-pedaling industry pleadings and provocative propaganda.

This unofficial view tallies with a statement by David Lloyd George, Stanley spokesman, in Commons tonight, in which he stressed the necessity for careful examination of all viewpoints, and declared it is an extremely complex and difficult problem.

The Government's film inactivity was criticized in the Commons debate on the work of the Ministry of Information. Arthur Greenwood appealed for the mobilization of all film resources and the greater use of British news films abroad. Sir Samuel Hoare promised that steps would be taken at once.

'Intermezzo' Brings Music Hall $100,000

"Intermezzo" drew an estimated $100,000 at the Music Hall in its first week there and is held over. At the Strand, "Dust Be My Destiny," with Ann Sheridan on the stage, appears to be headed for an estimated $47,000 in its first week which ends today. It will be held over.

Ending a three-week run, "The Women" took an estimated $27,000 at the Capitol for its final week. "Babes in Arms" starts there today. "Eternally Yours" should be good for an estimated $45,000 at the Roxy when its week ends tonight. "Hollywood Cavalvade" bows there tomorrow.

Will Honor Zanuck

HOLLYWOOD, Oct. 11.—The Masquers Club will give Darryl F. Zanuck a testimonial dinner Oct. 25, honoring him for his contributions to the industry as well as for his activities in behalf of the Motion Picture Relief Fund. Edward Earle is in charge of arrangements.

Home Offices Close At 1 o'Clock Today

Home offices of Columbia, RKO, United Artists, M-G-M, Warners, Republic and Universal close at 1 P. M. today in observance of Columbus Day. Employes of 20th Century-Fox will have a full holiday while Monogram and Paramount are open the entire day.

Equity Wins Initial Fight on Television

The regulation of Actors Equity which forced cancellation last night of the telecast of Max Gordon's forthcoming play, "Very Warm for May" did not involve the current union dispute over jurisdiction over television. The program was planned as the first of a series of complete Broadway shows which would be telecast as dress rehearsal prior to opening.

The Equity council uncovered a regulation enacted several years ago, prior to the advent of television, which was intended to cover motion pictures

(*Continued on page 2*)

Wife of Harry Ritz Dead; Rites Today

Mrs. Charlotte Joachim Ritz, 25, wife of Harry Ritz of the Ritz Brothers, died yesterday at the Warwick Hotel of pneumonia. Mrs. Ritz became ill Oct. 3 when she contracted a cold at the funeral of her father, Stephen Greenfield.

Funeral services will be held at 3:15 P. M. today at the Riverside Memorial Chapel, 76th St. and Amsterdam Ave. Al and Jimmy Ritz, brother of Harry, will attend the services. Burial will be at Mt. Lebanon Cemetery, Glendale, L. I.

'Gullivers Travels' Set Christmas Week

Dave Fleischer leaves New York for the Coast today to expedite preparations for the release as a Christmas week special of Max Fleischer's feature length color cartoon, "Gulliver's Travels." This is the second full length feature cartoon, the first having been "Snow White."

Only a limited number of fully scored and colored films will be available for Christmas dates, but further

(*Continued on page 2*)

13 Extra Days Given Majors In Trust Case

U. S. Asks Replies Nov. 1 To Interrogatories

A further tentative extension to Nov. 1 of the time for company defendants in the Government's New York anti-trust suit to file exceptions to the extensive interrogatories served on them by the Department of Justice some time ago was granted by Paul Williams following conferences with company lawyers here this week, it was learned yesterday.

Originally, the initial response to the interrogatories was due Oct. 7 but 10 days additional time was granted by the Government, extending the reply time to Oct. 17.

Following the discussions this week, the additional time to Nov. 1 was granted by Williams, conditional upon a continued effort by defendants' attorneys to complete their exceptions at the earliest possible moment. In this respect, if the defendants' preparatory work is completed prior to Nov. 1, the next legal move may be made immediately, irrespective of the Nov. 1 deadline.

This week's discussions centered around the possibility of excluding some of the Government's questions from the interrogatories. No agree-

(*Continued on page 7*)

Universal in Break With Saenger Circuit

Universal is offering five-year product franchises to all exhibitors who will open representative theatres in competition with Saenger Circuit houses in any of the circuit's so-called "closed" situations in six southern states, a Universal home office sales executive said yesterday.

The Universal move indicates a complete break with the powerful southern circuit which operates more than 65 theatres in Louisiana, Mississippi, Alabama, Florida, Arkansas and Texas. In addition, Saenger books for numerous other theatres throughout the same territory.

"Complete inability" to obtain what the distributor regards as equitable terms for its top flight product, was given as the reason for the break.

Universal already has closed a number of deals with Saenger competitors in "open" situations for its new season's product, it was said.

Vogel Marks His 30th Year With Loew's

Joseph R. Vogel, Loew's theatre executive, observed his 30th anniversary with the company yesterday by returning to his desk after an illness.



Joseph Vogel

One of the oldest executives in the industry in point of service, Vogel started with Loew's in 1909 as treasurer of the old Circle Theatre. Later he was assistant manager of the Manhattan Opera House, Loew's Seventh Ave. and the Yorkville Theatre. At the age of 18 he was appointed manager of the Fulton in Brooklyn, later handling the Palace in Brooklyn.

In 1921 he was promoted as division manager in New York City, at the same time managing the State on Broadway. In 1926 he was made assistant to E. A. Schiller, circuit executive, and when Schiller retired in 1934, Vogel assumed his position.

Vogel is now vice-president of Loew's Theatre and Realty Co. He is in charge of the Capitol and Astor on Broadway and the entire out-of-town circuit.

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TWA

SHORTEST, FASTEST COAST-TO-COAST

Purely Personal

BOB O'DONNELL, manager of the Interstate Circuit, Texas, is in town. GASTON DUREAUX of New Orleans is also here.

•

NATE BLUMBERG, JULES LEVY, E. K. O'SHEA, ED SAUNDERS, A. P. WAXMAN, MAX A. COHEN, TOM CONNORS, RUSSELL HOLMAN, JOHN HICKS, ERNO RAPPE, ALBERT KAUFMAN, and GEORGE WELTNER lunching at Nick's Hunting Room in the Astor yesterday.

•

JACK GOETZ, RALPH POUCHER, GEORGE WEEKS, ARTHUR LEE, JOSEPH MALCOLM, LYNN FARNOL, W. RAY JOHNSTON, HARRY GOLD, EDDIE GOLDEN and GEORGE WEST at BOB GOLDSTEIN'S Tavern for lunch yesterday.

•

BERT NOLAN, Denver film man, fell at his hotel, breaking his shoulder and cutting his face. He was taken to a hospital.

•

ERNEST SCHOEDSACK, Paramount producer, and MRS. SCHOEDSACK arrive from the Coast today for a vacation.

•

HERMAN WOBBER, general sales manager of 20th Century-Fox, left yesterday for Chicago with MRS. WOBBER, who will continue to San Francisco.

•

STUART WALKER, Paramount director, who spent a few days in Cincinnati after a trip to New York, has returned to Hollywood.

•

ANN RUTHERFORD, M-G-M player, yesterday was guest of honor at the cotton carnival in Greenville, S. C.

•

SOL DAVIS and MORRIS LOEWENSTEIN, Republic franchise owners in Oklahoma, are conferring here.

•

SOL WURTZEL, 20th Century-Fox production executive, is due this week from the coast on a vacation.

•

IRVING FLEISCHER, manager of the restaurant in the Warner home office, is ill at the French Hospital.

•

N. L. NATHANSON, head of Famous Players Canadian, is in town.

•

DAVID O. SELZNICK plans to come east in about a month.

'Gulliver's Travels' Set Christmas Week

(*Continued from page 1*)

prints will be in the exchanges to handle New Year's and early January bookings.

During the New Year's holiday Paramount will release "The Gay Days of Victor Herbert," featuring the melodies of the late Victor Herbert. Mary Martin, Allan Jones and Walter Connolly have the principal roles.

"Gulliver's Travels" will be heavily advertised. An appropriation of $250,000 for ads in newspapers and national magazines has been announced by Neil Agnew, vice-president in charge of sales for Paramount.

Six special exploiters will be sent on the road early next month to boost both "Gulliver's Travels" and "Victor Herbert." Songs from both pictures will be heavily plugged on the national radio networks beginning late this month.

Seltzer Goes East

HOLLYWOOD, Oct. 11.—Frank Seltzer, publicity director for Hal Roach, has been named eastern studio representative, replacing Tom Walter. Seltzer, who leaves for New York Monday, will divide his time between New York and the Coast. Jules Seltzer, his brother, has been named publicity director here.

Screen Warners Short

Warners' historical short, "The Bill of Rights" will be screened before the National Conference on Civil Liberties tomorrow evening at the Hotel Biltmore. Screening will follow broadcasts over NBC-Red of a discussion by national figures on the American Bill of Rights.

New Cukor Contract

George Cukor, M-G-M director, has signed a new contract with the company. Films which he directed include "The Women," "David Copperfield," "Romeo and Juliet," "Dinner at Eight" and "Camille."

Broadway to Get French Theatre

Broadway is to have a theatre devoted exclusively to French pictures. The Central Theatre, Broadway and 47th St., will be remodeled at once, and reopen Friday evening, Oct. 20, with the American premiere of "Port of Shadows" ("Le Quai Des Brumes") presentation of the Film Alliance of the United States, Inc.



UNITED...

THE DISTINGUISHED WAY TO LOS ANGELES

Overnight to the coast. Luxurious Mainliner sleepers—the "Continental" leaving New York 5:45 pm, and the "Overland Flyer" leaving New York 9:45 pm. Finest meals aloft. Call travel agents, hotels, or

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UNITED AIR LINES
58 East 42nd Street

Actors Equity In First Fight On Television

(*Continued from page 1*)

and recordings. In view of the permanent nature of films or records, Equity required a full week's pay for each day spent in production. Actors who perform their roles over the radio are merely required to receive payment for one extra performance, or one-eighth of the weekly pay.

When it was pointed out that television was not a permanent medium and therefore apparently not within the rule, Equity officials responded that the council had ruled that it was a "picturization" and that Gordon had not requested any exemption. No amendment, specifically defining television, is planned until the whole problem of unionization of television performers is settled. Equity has a committee which is studying the field, and Associated Actors and Artistes of America has another committee to determine which union shall have jurisdiction.

The regulation, entitled "Picturization of Play," reads in part: "Where a picturization or sound recording in whole or in part . . . be made, the actors engaged therein shall be paid a minimum of one week's salary for each day or part thereof. . . ."

Election on Dec. 6 by Operators 306

Operators' Local 306 will hold its annual elections Dec. 6. There is some opposition to Joseph D. Basson, president, who is serving a second full term, but majority sentiment favors his reelection as well as that of other officers, according to officials.

A contest is developing for membership on the executive board, with numerous candidates in the field.

French Co. Hearing Set

Hearing on final confirmation of the plan of reorganization of French Motion Picture Corp. was ordered for Oct. 24 by Federal Judge William Bondy yesterday. The plan which has been consented to by a majority of creditors calls for payment in full to priority creditors and 15 per cent to general creditors.

MOTION PICTURE DAILY

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Stop what you're doing and take good notice! Your theatres have reached no gross so high, have held no drama so long, that it can't be topped by this attraction! It is Cagney co-starred with Priscilla Lane in 'The Roaring '20's'! Read the reviews! Follow the tip! Tell your customers *now!*

JAMES CAGNEY
and
PRISCILLA LANE
in "THE
ROARING TWENTIES"
with
HUMPHREY BOGART • GLADYS GEORGE
FRANK McHUGH • JEFFREY LYNN • PAUL KELLY
Directed by RAOUL WALSH
Screen Play by Jerry Wald, Richard Macaulay and Robert Rossen • From an Original Story by Mark Hellinger

Warners for Action!
Warners for Fair Play! Warners for 'The
ROARING TWENTIES'

MOTION PICTURE DAILY'S BOOKING CHART

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Sept. 8	Golden Boy *Stanwyck* (G) (D) Hidden Power *Jack Holt*	Blackmail *Edward G. Robinson Ruth Hussey*		Range War *William Boyd Russell Hayden*	Wall Street Cowboy (O) *George Hayes*	Full Confession *Victor McLaglen* Fighting Gringo *George O'Brien*	Charlie Chan at Treasure Island *Sidney Toler* (G) (D)		Desperate Trails (O) The Mikado *Kenny Baker* Hawaiian Nights (G) (C)	Nancy Drew and the Hidden Staircase *Bonita Granville Frankie Thomas*
Sept. 15	Outpost of the Mounties *Charles Starrett Iris Meredith*	Thunder Afloat *Wallace Beery Chester Morris*	Sky Patrol *John Trent Jackie Coogan*	Beau Geste *Gary Cooper Ray Milland* (G) (D)		The Day the Bookies Wept *Joe Penner Betty Grable*	The Rains Came *Myrna Loy Tyrone Power George Brent*		Two Bright Boys *Jackie Cooper Freddie Bartholomew*	Dust Be My Destiny *John Garfield Priscilla Lane* (G) (D)
Sept. 22	Those High Grey Walls *Walter Connolly Iris Meredith*			$1,000 a Touchdown *Joe E. Brown Martha Raye*	Calling All Marines *Donald Barry Helen Mack*	Fifth Avenue Girl *Ginger Rogers James Ellison* (A) (C)	Stop, Look and Love *Jean Rogers William Frawley*	Intermezzo, a Love Story *Leslie Howard Ingrid Bergman*	The Witness Vanishes *Edmund Lowe Wendy Barrie*	No Place to Go *Fred Stone Gloria Dickson*
Sept. 29		Dancing Coed *Lana Turner Richard Carlson Artie Shaw*	Crashing Thru *James Newill* The Fight for Peace	Honeymoon in Bali *Madeleine Carroll* Range War (O)	The Arizona Kid *Roy Rogers*	Nurse Edith Cavell *Anna Neagle Edna May Oliver* (G) (D)	Here I Am A Stranger *Richard Greene Roland Young*	The Real Glory *Gary Cooper Andrea Leeds*	Rio *Sigrid Gurie Basil Rathbone Robert Cummings*	A Child Is Born *Geraldine Fitzgerald* Espionage Agent *Joel McCrea*
Oct. 6	U-Boat 29 *Conrad Veidt Valerie Hobson*	Fast and Furious *Ann Sothern Franchot Tone*	Mutiny in the Big House *Charles Bickford*	What a Life *Jackie Cooper Betty Field*	Kansas Terrors *Jacqueline Wells The Three Mesquiteers*	Everything's On Ice *Irene Dare Edgar Kennedy*	The Escape *Kane Richmond Amanda Duff*	Eternally Yours *Loretta Young David Niven*	Hero for a Day *Anita Louise Dick Foran*	Pride of the Blue Grass *Edith Fellows Gantry the Horse*
Oct. 13	Scandal Sheet *Otto Kruger Ona Munson*	Babes in Arms *Mickey Rooney Judy Garland*		Jamaica Inn *Charles Laughton Maureen O'Hara*	Sabotage *Arleen Whelan*	Three Sons *Edward Ellis Virginia Vale*	Road to Glory *Fredric March* Hollywood Cavalcade *Alice Faye Don Ameche*		Tropic Fury *Richard Arlen*	On Your Toes *Zorina*
Oct. 20	Mr. Smith Goes to Washington *Jean Arthur James Stewart*	At the Circus *Marx Brothers*	Riders of Destiny Sagebrush Trail *John Wayne*	Television Spy *William Henry Judith Barrett*		Flying Deuces *Laurel & Hardy Jean Parker*	Pack Up Your Troubles *Jane Withers* Shipyard Sally *Gracie Fields Sidney Howard*		Tower of London *Basil Rathbone* Oklahoma Frontier	Smashing the Money Ring *Ronald Reagan Rosella Towne*
Oct. 27	Beware Spooks *Joe E. Brown Mary Carlisle*	Bad Little Angel *Virginia Weidler*	Danger Flight The Ringer Overland Mail *Jack Randall*	Disputed Passage *Dorothy Lamour Akim Tamiroff*	Jeepers Creepers *Weaver Bros. & Elvry*	Allegheny Uprising *John Wayne Claire Trevor*	20,000 Men a Year *Randolph Scott* The First World War	Housekeeper's Daughter *Joan Bennett Adolphe Menjou*	Little Accident *Baby Sandy*	The Roaring Twenties *James Cagney Priscilla Lane*
Nov. 3	Blondie Brings Up Baby *Penny Singleton* The Stranger from Texas	Ninotchka *Greta Garbo Melvyn Douglas*	Heroes in Blue *Dick Purcell* Fighting Mad *James Newell*	Law of the Pampas *William Boyd Russell Hayden*		Queen of Destiny *Anna Neagle Anton Walbrook*	Heaven with Barbed Wire Fence *Jean Rogers*		Call a Messenger The Road Back Legion of Lost Flyers *Richard Arlen*	Kid Nightingale *John Payne Jane Wyman*
Nov. 10		Secret of Dr. Kildare *Lew Ayres Lionel Barrymore*		Cat and the Canary *Bob Hope Paulette Goddard*	Main Street Lawyer *Edward Ellis Anita Louise*	Meet Dr. Christian *Jean Hersholt*	Drums Along the Mohawk *Henry Fonda Claudette Colbert*		First Love *Deanna Durbin* One Hour to Live *Doris Nolan*	Private Lives of Elizabeth and Essex *Bette Davis Errol Flynn*



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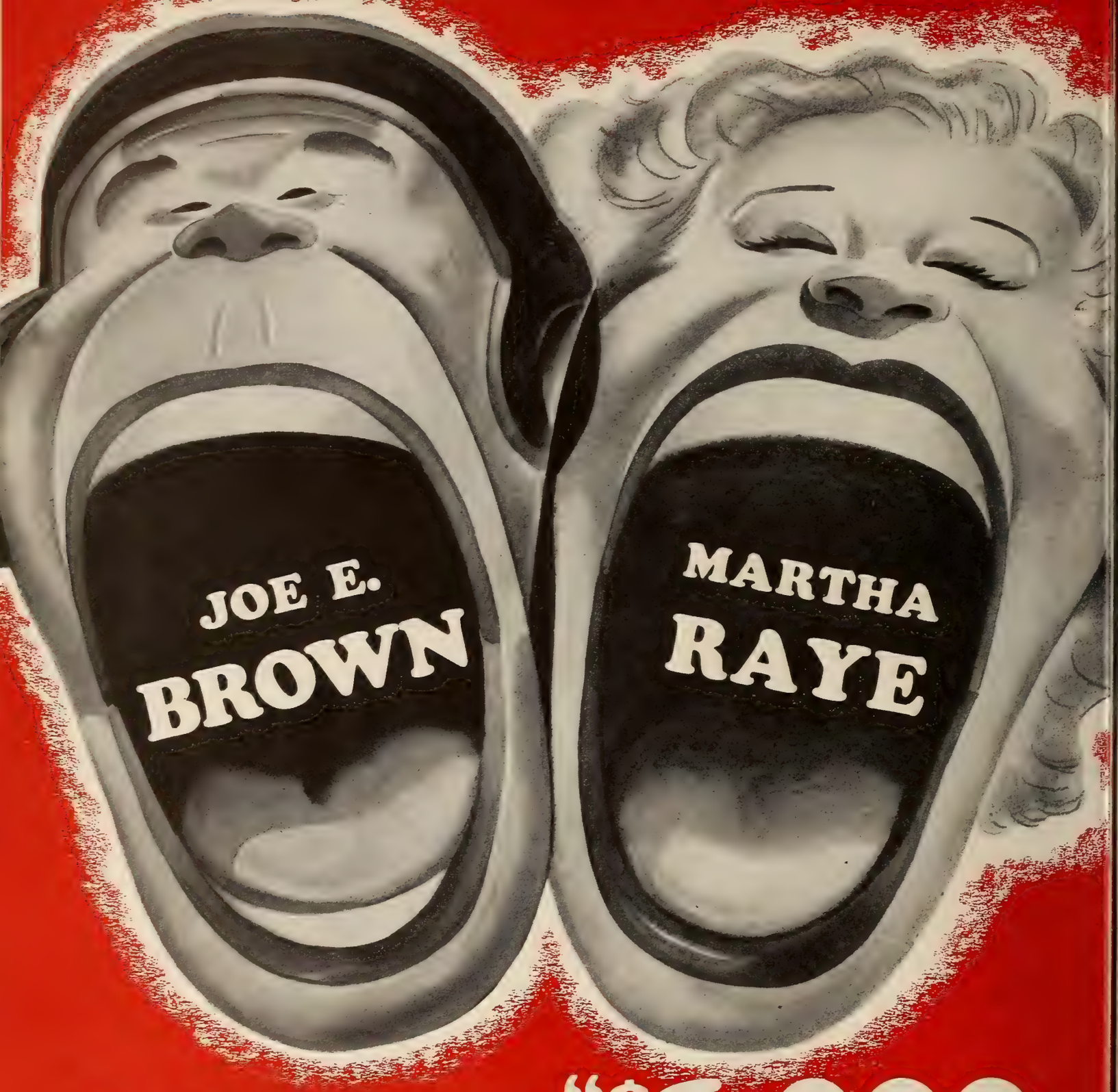
TERRIFIC

MOUTH IN

MAMMOTH

HISTORY!

COLOSSAL



in Paramount's "$1,000 A TOUCHDOWN"

Football fans join picture fans to cheer this big laugh combination in the only football picture now in release!

Paramount Pictures

13 Extra Days Given Majors In Trust Case

(Continued from page 1)

ment has been reached on this, but one may be subsequently. The companies eventually will file exceptions to any questions not excluded which they believe are improper or cannot be answered. The court then will rule on these exceptions and direct the defendants on the replies which they will be required to make.

Meanwhile, defendants are deferring action on serving their own interrogatories on the Government. United Artists is the only defendant company which has served an interogatory thus far and, it is believed, other defendants are awaiting the outcome of this procedure before following suit.

Two months ago, in applying for a preference on the Federal court trial calendar for the New York suit, the Government asked for Nov. 1 as a date for the start of trial of the action. Without a preference being granted, the case may now be reached in the ordinary course of events by February.

This would seem to make the granting of a preference extremely unlikely, in view of the vast amount of preliminary work in connection with the interrogatories which still remains to be done. In fact, several defense attorneys regard a Spring or Fall trial date next year as more likely.

Fresh Tax Threats Loom in Wisconsin

MADISON, Wis., Oct. 11.—Although the Wisconsin legislature adjourned last week, an 18-member interim committee will arrange a tax program for presentation to a special session scheduled next month.

This action was taken because of a $21,000,000 budget deficit for the biennium. In view of the variety of theatre taxes proposed in the regular session of the legislature, it is not all unlikely that some similar proposals will be presented to the special session.

Circuit theatre, occupational, admission and film taxes were all proposed, but voted down.

Ascap Counsel Going to Fight Florida Law

Louis D. Frohlich and Herman Finkelstein of Schwartz & Frohlich, Ascap counsel, will leave for Jacksonville this weekend to argue motions in connection with Ascap's attack on the constitutionality of the Florida law barring the society from operating within the state.

Later this month they will appear in Federal court at Tacoma in connection with Ascap's opposition to a similar state law enacted by Washington.

Weinberger Rites Held

Funeral services were held yesterday for Mrs. Carrie Brown Weinberger, mother of Milton R. Weinberger, counsel for the League of New York Theatres and for the Schuberts. She died of a heart attack on Monday.

New York Review

"Jamaica Inn"

(Mayflower-Paramount)

The sullen, grim atmosphere of the novel by Daphne Du Maurier, picturing the nefarious activities of a gang of smugglers and ship wreckers on the lonely, rocky coast of Cornwall in northern England, has been admirably translated into celluloid terms in this production by Charles Laughton and Erich Pommer.

Laughton, portraying the brutal and wholly despicable character of Sir Humphrey Pengallan, whose high living is paid for by the leadership of the ship wrecking gang, and of whose identity only the nominal leader is aware, is properly sinister. He adds another to his already long list of sterling character portrayals.

The direction of Alfred Hitchcock, whose forte is this type of heavily "atmosphered" production, again demonstrates his unquestioned superiority in that phase of direction.

The exhibitor may well take note of Maureen O'Hara, here introduced to screen audiences. As the young niece of the gang leader's wife, terrorized by what she unknowingly finds at Jamaica Inn, she performs smoothly, is attractive and wholly capable.

Splendid performances are offered by Leslie Banks, as the apparent leader of the gang; Emlyn Williams, as one of the band; Marie Ney as Banks' long-suffering but ever-loyal wife, and Robert Newton, as the member of the gang who actually is a naval officer seeking the ringleader of the ship wreckers.

The subordinated romance is adequately cared for by Miss O'Hara and Newton, but throughout, the film is dominated by the vigorous, sweeping portrayal of the masquerading squire of Pengallan, who comes to his doom with a grandiose dive from the rigging of a ship on which he meant to flee the law.

Running time, 96 minutes. "A." CHARLES S. AARONSON

**"A" denotes adult classification.*

'Wizard' Montreal Smash with $13,500

MONTREAL, Oct. 11.—"The Wizard of Oz" brought $13,500 to Loew's. "The Man in the Iron Mask" grossed $5,400 at the Orpheum and was held.

Estimated takings for the week ending Oct. 6:

"Golden Boy" (Col.)
"Woman Is the Judge" (Col.)
CAPITOL — (2,547) (25c-40c-55c-65c) 7 days. Gross: $5,800. (Average, $8,000)
"The Wizard of Oz" (M-G-M)
LOEW'S — (2,800) (30c-40c-60c) 7 days. Gross: $13,500. (Average, $8,000)
"The Man in the Iron Mask" (U. A.)
ORPHEUM—(919) (25c-35c-50c) 7 days. Gross: $5,400. (Average, $5,000)
"The Rains Came" (20th-Fox)
PALACE—(2,600) (25c-40c-55c-65) 7 days, 2nd week. Gross: $6,300. (Average, $9,000)
"Coast Guard" (Col.)
"Parents On Trial" (Col.)
PRINCESS — (2,272) (25c-35c-50c-65c) 7 days. Gross: $5,100. (Average, $6,500)

'Women' Scores $12,000 in Detroit

DETROIT, Oct. 11.—"The Women" in the second week at the United Artists drew $12,000.

Estimated takes for the week ending Oct. 5:

"The Rains Came" (20th-Fox)
"Two Bright Boys" (Univ.)
ADAMS—(1,700) (15c-40c) 7 days. Gross: $5,000. (Average, $5,000)
"Goodbye, Mr. Chips" (M-G-M)
"Unexpected Father" (Univ.)
FISHER—(2,800) (15c-40c) 7 days. Gross: $4,400. (Average, $4,500)
"In Name Only" (RKO)
"Everything's On Ice" (RKO)
FOX—(5,000) (25c-55c) 7 days. Gross: $11,500. (Average, $12,000)
"Honeymoon in Bali" (Para.)
"What A Life" (Para.)
MICHIGAN — (4,000) (15c-65c) 7 days. Gross: $7,500. (Average, $10,000)
"Blackmail" (M-G-M)
"Irish Luck" (Monogram)
PALMS—(3,000) (15c-50c) 7 days. Gross: $5,000. (Average, $5,000)
"The Women" (M-G-M)
UNITED ARTISTS—(2,100) (15c-55c) 7 days. Gross: $12,000. (Average, $10,000)

'Life' and Sheridan $19,500 in Capital

WASHINGTON, Oct. 11.—Ann Sheridan on the stage of Warners' Earle coupled with "What a Life" gave that house a smash $19,500. A second week of "The Women" put Loew's Palace in the runner up spot with a solid $14,500.

"Dancing Co-Ed" (M-G-M)
LOEW'S CAPITOL—(3,434) (25c-66c) 7 days. Stage: Cliff Nazzaro. Gross: $13,500. (Average, $17,000)
"Thunder Afloat" (M-G-M)
LOEW'S COLUMBIA—(1,243) (25c-40c) 7 days, 2nd run. Gross: $4,800. (Average, $4,300)
"The Women" (M-G-M)
LOEW'S PALACE—(2,370) (25c-55c) 7 days, 2nd week. Gross: $14,500. (Average, $14,000)
"Fifth Avenue Girl" (RKO)
RKO-KEITH'S—(1,836) (25c-55c) 7 days, 2nd week. Gross: $6,500. (Average, $6,500)
"What A Life" (Para.)
WARNERS' EARLE—(2,218) (25c-66c) 7 days. Stage: Ann Sheridan, Earl Oxford. Gross: $19,500. (Average, $16,000)
"Dust Be My Destiny" (W. B.)
WARNERS' METROPOLITAN — (1,591) (25c-40c) 7 days, 2nd week. Gross: $5,000. (Average, $4,600)

Pelton Named Labor Man for Producers

HOLLYWOOD, Oct. 11.—Fred Pelton has been appointed labor contact representative for the Association of Motion Picture Producers, Fred W. Beetson, executive vice-president, announced. Victor Clarke, secretary of the producers committee on the international basic studio agreement, will serve as Pelton's assistant. Pat Casey will continue his principal duties in New York.

Beetson said "reports that William R. Walsh, senior counsel for the Los Angeles office of the N.L.R.B., has been asked to handle labor problems for the producers are not only untrue, but are most unfair as such a relationship is not contemplated."

Longer Delay On RKO Plan; War to Blame

(Continued from page 1)

a few additional weeks in order to dispose of the possibility of creditors applying to the U. S. Supreme Court for writs of certiorari in connection with their appeals on Judge Bondy's confirmation of the plan.

The appellants have until December to apply for such writs and, in the event their applications are made, the high court probably would not rule on them until late January or February.

If the new RKO securities were to be issued prior to Supreme Court disposal of appeals on the reorganization plan, serious complications would ensue.

The semi-annual report of Irving Trust Co. as RKO trustee is scheduled to be filed in Federal District court here tomorrow or Monday. In part, the report will show a small consolidated loss for the parent company for the first half of 1939 after all charges and provision for approximately $380,000 interest. Earnings of theatre company subsidiaries for the six months period were very good but picture company results were off.

In the second half, after a poor July result, the picture company earnings improved remarkably. This may be offset to some extent, however, by diminished returns from Europe.

In court yesterday, Judge Bondy termed the reorganization proceedings as "interminable" and insisted on immediate and definite progress.

He was advised by Richard Jones of Simpson, Thacher & Bartlett, Atlas counsel, that "every effort" to advance the reorganization is being made and that the investment company is now studying effects of the war on RKO's revenue for guidance in preparing the new underwriting agreement for submission to the RKO board.

Judge Bondy adjourned the scheduled hearing on the reorganization to Nov. 1, by which time, Jones indicated, Atlas may have prepared its new offer.

Monogram Sets 4 Dates for 'Mutiny'

Monogram has set four pre-release runs on "Mutiny in the Big House," according to George W. Weeks, general sales manager.

The dates and theatres are: Park, Reading, Pa., Oct. 12; Paramount, Wilkes-Barre, Pa., Oct. 13; Capitol, Scranton, Oct. 14, and Garrick, Chicago, Oct. 13. The last named is the first booking on the film by Balaban & Katz, which has booked the picture for the entire circuit.

Orders Amended Data in Erie Suit

PITTSBURGH, Oct. 11.—Federal Judge F. P. Schoonmaker yesterday ordered Erie State Theatre Corp. to file a more specific complaint in its trust suit against major companies.

The majors had claimed that insufficient data exists on which to base a defense. The court gave the plaintiff 10 days in which to amend the complaint, after which the defense will be given an opportunity to answer.

NBC to Give Radio Plugs To Television

National Broadcasting Co. will start twice-daily announcements over local NBC stations today of television programs. Heretofore, television programs have received little publicity since few newspapers featured them. Occasionally, when telecasts of national importance have been made, they were announced in the sustainer news broadcasts, but regular features received no publicity over the air.

It was felt originally that sponsors of programs might object if their listeners were lured away to outstanding television features, but this objection apparently has been overcome.

Television programs for Tuesday evenings are being dropped and Sunday afternoon telecasts of professional football games will be added, beginning Sunday, Oct. 22. Another new feature will start Saturday, Oct. 21, at 9 P.M. when regular weekly boxing bouts from the Ridgewood Grove Arena, Queens, will begin.

First systematic effort to obtain audience reaction to television programs has started. Approximately 300 requests for weekly programs have been received in two days. Programs are sent together with postpaid card asking for a rating of excellent, good, fair or poor, for a list of 16 program items.

Salary Cut Issue Before Directors

HOLLYWOOD, Oct. 11.—The Screen Directors Guild will refer all requests for salary cuts of its members to the conciliation committee provided for in its bargaining agreement with producers, it was disclosed today.

Directors advised the membership to report all instances of revisions to the board. The action was taken following the appearance of George Schaefer, RKO president, who asked for a revamping of the directors' contracts at the studio.

He pointed out that the loss of foreign grosses made a cut imperative. The Guild board decided to treat the matter as an industry-wide situation. It was indicated that when a formal request for conferences on salary cuts is made the matter will be put up to the conciliators.

Drop Laughton Tour

Charles Laughton's first American personal appearance tour has been cancelled. The star has been taken to a Los Angeles hospital for treatment after having been stricken with mastoiditis. Maureen O'Hara, who appears with him in "Jamaica Inn," and who was to have appeared with him in conjunction with the film at the Broadway Rivoli next week, also has cancelled her plans.

Lindbergh on WOR

Col. Charles A. Lindbergh will discuss America's position in the current world situation during an exclusive talk over WOR and the Mutual system on Friday from 9:30 to 9:45 p. m.

Radio Personals

Glenn Miller and his orchestra and the Andrews Sisters will replace Paul Whiteman on the Chesterfield cigarette program over CBS in December. . . . Raymond Gram Swing's book, "How War Came," will be released to bookshops Monday. . . . Nelson Eddy will leave the Chase and Sanborn show after the Sunday, Nov. 5, broadcast. . . .

Robert Farnon, Canadian director and producer, will wed Miss Doris Veale, formerly staff pianist for CBC in Toronto, Oct. 20. . . . Fern Persons has the title role in "Anne Thomas, Career Wife" heard Monday through Friday over NBC-Blue at 10:15 A. M. . . . Engagement of Duell Richardson, assistant manager at WOKO, Albany, to Miss Dorothy E. Sweeney has been announced. . . . Kenny Martin, vocalist, has been added to the WHN staff. . . . Joe King, WJSV, Washington announcer, is the father of an eight-pound boy.

All MPTOA Chiefs Due for Re-election

(*Continued from page* 1)

yesterday to make arrangements for the meeting. Discussions of individual company trade practice concessions will play an important part at the meeting.

Kuykendall reported that he had been advised that both Paramount and 20th Century-Fox would grant a 20-15-10 per cent cancellation, and were selling their new season line-up on that basis, with cancellation riders attached to the new contracts.

Other policies along the lines of those contained in the defunct industry trade practice code will be authorized, as was done by Warners and Loew's.

Kuykendall will be here for several days and may remain to attend the S.M.P.E. convention here next week.

Frisco Fair Closing Oct. 30, Month Early

SAN FRANCISCO, Oct. 11.—Having previously claimed the San Francisco exposition was cutting motion picture attendance here, local theatremen here were pleased at the announcement that the fair will close Oct. 30, one month ahead of the scheduled closing date.

Falling attendance at the fair and approaching rainy season are responsible for the early shut-down, according to managing director Charles Strub. Attempts are being made to raise funds to reopen the exposition for four months next Summer.

Union Presses Action

Joseph D. Basson, as president of Local 306 of the Motion Picture Operators Union yesterday filed application in the New York Supreme Court to restore its suit for an injunction and damages against Paradise Pictures Corp., operator of the Belmont Theatre, to the calendar for trial on Oct. 23. Trial is sought because negotiations for settlement have failed, it was stated. The plaintiff charges breach of a contract to employ Local 306 operators.

Marcus Loew Gets Pullman Car Honor

The Pennsylvania Railroad has honored the memory of Marcus Loew by naming a Pullman car after him. A bronze plaque, similar to those at all Loew theatres, has been placed in the car which goes in service tomorrow out of Pennsylvania station here on the Chicago run. The railroad officials honored Loew's memory because he was one of the line's best customers while founding his circuit of theatres.

Limitation by FCC In Broadcast Cases

WASHINGTON, Oct. 11.—The Federal Communications Commission today unanimously upheld orders of Commissioner Payne limiting intervention in broadcast cases to broadcasters vitally interested. In the past the Commission permitted intervention by any person having a "substantial" interest in the case, but Commissioner Payne last week held that intervenors hereafter must show that they are definitely affected by any action the commission may take.

Executives Attend Hayner Services

Services for Walter F. Hayner, general sales manager for Regal Films of Canada, who died Friday in Toronto, were held yesterday at the Campbell Funeral Church, 81st St. and Madison ave. The Rev. Dr. Thomas J. Crosby, Episcopalian minister, officiated. Burial was at Fresh Pond Cemetery, Middle Village, L. I.

M-G-M officials attending the services included William F. Rodgers, Thomas J. Connors, Edward Saunders, Edward Aaron, Alan F. Cummings, Jay Gove and Harold Postman.

Win Concessions On Holiday in R. I.

PROVIDENCE, Oct. 11.—Despite provisions of the law creating Columbus Day a "complete" holiday in Rhode Island, exhibitors here will be able, because of lenient interpretation of the law by the City Solicitor and police, to open their houses at the usual weekday hour of 11 A.M., instead of waiting until 2 P.M., as specified by the law governing Sunday operation of theatres.

The Sunday law, had the rules been strictly interpreted, would have prevented theatres from opening until afternoon.

Talent Agents Plan

HOLLYWOOD, Oct. 11.—The board of directors of the Screen Actors Guild has tentatively approved the final draft of a franchise plan to license talent agents. The plan goes back to the Artists Managers Guild for further debate. The plan will not be revealed until it is ready for signing.

Delay Hays Board Meet

The adjourned meeting of the board of directors of M.P.P.D.A. scheduled for yesterday was postponed to Oct. 18 because of a lack of a quorum.

Radio Programs

Roland Todd, Toronto theatre organist for 20 years, has started a Sunday evening musical program for CBC network. Program, "The Road to Yesterday," is heard at 9:30 P. M. . . .

Bernard L. Schubert, sales manager for the Phillips H. Lord organization, is readying serial programs based on literary material of Fannie Hurst and Edna Ferber, and half-hour programs based on S. S. Van Dine mysteries. Rights to the material have been secured, Schubert said. . . .

"Potterton Choristers," oldest program on WHOM, celebrates its 10th anniversary on the station Friday, Oct. 20, at 7 P. M. . . .

CBS resumes the weekly series, "So You Want to Be—," today at 4:30 P. M. . . . University of Chicago "Round Table" programs begin their seventh year on NBC networks Sunday. Programs will be heard Sundays at 2:30 P. M. over NBC-Red. . . . "Hedda Hopper's Hollywood," featuring news from the film capital, starts over CBS Monday, Nov. 6. Heard Monday, Wednesday and Friday at 6:15 P. M., it will be sponsored by California Fruit Growers Exchange. . . .

Curtis Institute of Music's 11th CBS season starts Monday at 4 P. M. Twenty-two Monday afternoon concerts are on schedule and six are set for irregular Monday evenings. . . . Enna Jettick "Melodies" now use 95 NBC-Red stations for the 15-minute broadcast heard Sundays at 5 P. M.

NBC "String Symphony" starts a new series Sunday over NBC-Red and will be heard each Sunday at 2 P. M. . . . Spaulding Bakeries has renewed for the fourth year for a daily quiz program over WOKO, Albany. . . .

"Fun With the Famous," new weekly series, will replace "If I Had a Chance" over NBC-Blue Tuesday. Program will be heard Tuesdays at 10:30 P. M.

Maryland Houses Warned on Games

DENTON, Md., Oct. 11.—A warning to film theatres of Caroline County, Md., that Bank Night is illegal and that theatres conducting the game will be subject to prosecution was contained in a report of the Grand Jury here.

Judge J. Owens Knotts of Denton brought the illegality of Bank Night to the attention of the Grand Jury last week at the opening session of the Fall term of Circuit Court. The sale of film tickets purchased to participate in a cash drawing is illegal, the judge declared, since films are not a charitable concern.

CBS Leases Ritz

CBS has leased the Ritz theatre, which seats 820, and will rename it CBS Theatre No. 4. It opens Saturday at 7:30 P.M. with the "Gay Nineties" revue. The Julliard Musical Foundation Building, an eight-story structure on East 52nd St., is still being altered. Two large studios, each seating 300, and several smaller studios will be housed.

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 73 NEW YORK, FRIDAY, OCTOBER 13, 1939 TEN CENTS

Theatre Asks Its Trust Suit Be Dismissed

Majors to Insist Plaintiff Pay All Legal Costs

Counsel for Orange County Theatres, plaintiff in an anti-trust suit against five major distributors and Paramount theatres in Newburgh, N. Y., operated by George Walsh, will ask for dismissal of the case when it is called for trial in U. S. District court here this morning.

The defendant companies will oppose dismissal unless the court directs the plaintiff to assume the costs of the action, it was learned. If this is not done, the defendants will insist upon the case going to trial.

Secrecy Hides Reasons

Secrecy veiled the reasons for the collapse of the case. Attorneys identified with the action declined to discuss the unexpected development. Reporters were told to be on hand when the case is called for trial this morning, at which time, attorneys promised, full disclosures of a "sensational" nature would be made.

Orange County Theatres, the plaintiff, operates the Academy at Newburgh. The bill of complaint in its anti-trust suit follows familiar lines in industry litigation, alleging among other things, inability to obtain a sufficient amount of first run product because of alleged trade advantages accorded its competitor.

Legal Costs Considerable

The same complaint finds a place in most industry anti-trust suits, including those filed by the Government. The action asks triple damages of $125,000.

Costs in the case amount to a considerable sum, involving complete defense preparations by Paramount, RKO, Universal, United Artists, 20th Century-Fox and the Paramount-Walsh theatres in Newburgh. Defendants will ask that the costs be fixed at the court's discretion.

Carr to See Murphy on Coast Film Probe

HOLLYWOOD, Oct. 12.—Charles S. Carr, assistant U. S. attorney general, leaves Saturday night for Washington to confer with Attorney General Frank Murphy on the current federal grand jury investigation of alleged labor racketeering and income tax evasion in the film industry. Upon Murphy's word hinges the future action in the inquiry which has been under way for the past several weeks.

Canada Is Normal, Declares Nathanson

Film business in Canada has rebounded after a period of recession immediately after the outbreak of war, and the prospects are good, said N. L. Nathanson, president of Famous Players Canadian Corp., who is visiting New York.

Nathanson said the Dominion Government has not imposed any war restrictions on the industry. "The first four or five weeks after war was declared, we felt the effects, naturally," he said, "but now business is moving along fairly normally and we look forward to improvement."

LaGuardia Greets Engineers Monday

Mayor LaGuardia will welcome delegates to the annual Fall convention of The Society of Motion Picture Engineers at the informal get-together luncheon Monday at the Hotel Pennsylvania. E. A. Williford, chairman, will preside and Bruce Barton and W. G. Van Schmus, managing director of the Music Hall, will be guests of honor.

First contingent of delegates is expected to arrive today with the remainder coming in over the weekend. The convention gets under way at 9 A. M. for registration and there will be two business sessions and four World's Fair demonstrations in addition to the luncheon.

RCA Manufacturing Co. will send a large delegation of sound and service engineers and they will read two papers at the convention.

BRITAIN TO FREEZE U. S. TRADE CASH

Asher Reports England Anxious to Keep Film Production Alive

The British Government is anxious to keep film production alive and plans measures to facilitate studio operations during the war, says Irving Asher, Columbia producer in England, who arrived this week by transAtlantic plane.

Asher plans to return to London in about a month. He says that regardless of the decision of other companies, Columbia will continue British production. He has just completed "Ten Days in Paris" and is committed for three more films for Columbia on his present contract. His previous films for Columbia were "Clouds Over Europe" and "U-Boat 29."

The British Government regards the film production industry as important and wants no repetition of what happened during the last war, when production died out and the American industry captured the British world market, Asher says.

The film situation in England is not as black as painted, he reports, and production conditions are not far below normal. The Government has posted a reserve list of film technicians who may claim exemption from active military duty if needed for key jobs. Actors are also on the reserve list. Ralph Richardson has enrolled in the Royal Air Force, but has not been called.

Asher plans to leave for the Coast Tuesday, probably with Mr. and Mrs. Mervyn LeRoy, who are visiting here.

$24,000,000 a Year Faces Forced London Stay; Quotas Undecided

LONDON, Oct. 12.—The British Government, informed sources indicated unofficially but authoritatively today, will retain in this country 80 per cent of the normal remittances usually sent out of England by American distributors.

Observers estimate that approximately $24,000,000 annually would thus be frozen in this country. The British Government already has requested American distribution representatives to consider means of using such frozen funds in England.

Modifications Hinted

There is some indication that the remittance limitation may be modified for contracts made before the start of the war, providing that a proportion greater than 20 per cent of such funds may be exported by American companies.

Certain members of Parliament to-

(Continued on page 2)

RKO Is Host Today At Filming of Short

RKO has invited exhibitors in the New York area to witness the production of RKO Pathe's third "Information Please" short at the Movietone Studios, 54th St. and 10th Ave., at 2 o'clock today.

The unrehearsed subject will go before the cameras with Clarence Buddington Kelland as "guest guesser" and with the regular board consisting of Franklin P. Adams, John Kieran and Oscar Levant, with Clifton Fadiman as master of ceremonies.

Among exhibitors who are expected to attend are Arthur Mayer, Rialto Theatre; Al Reed, Fabian circuit; Charles Moss, Criterion Theatre; Fred Schwartz, Century circuit; J. J. Thompson, Cocalis circuit; Laurence Bolognino, Consolidated Amusement Corp.; Irving Dollinger, Linden, N. J.; Major A. G. Rudd, Newsreel Theatres; Leon Rosenblatt and Bernie Brooks, Rosenblatt & Welt Circuit; Leo Justin, Walter Reade Circuit, and Eddie Sterne, Rugoff & Becker circuit.

Schenck on Coast

HOLLYWOOD, Oct. 12.—Nicholas M. Schenck arrived today and immediately plunged into executive conferences with Metro-Goldwyn-Mayer executives to determine ways and means of coping with foreign gross conditions.

"Disputed Passage"

[Paramount]

HOLLYWOOD, Oct. 12.—Two men, Lloyd C. Douglas, whose name is synonymous with fine literary endeavor, and Frank Borzage, who has accounted for some of the screen's most notable efforts, combined their talents to produce "Disputed Passage."

The picture is in keeping with the best traditions of both. In a series of novels, several of which, particularly "Magnificent Obsession" and "The Green Light," have been picturized, Douglas has established himself as one of the most popular contemporary authors.

Outstanding writers sometimes advance the contention that Hollywood does strange things to their works. In a foreword to this picture, however, Douglas, addressing Paramount, wrote: "Thank you so much for preserving the full flavor of 'Disputed Passage.' In this beautiful picture, those who like the characters in the book will be glad to see them come to life here."

The story is a drama of medical men. The major locale of the first

(Continued on page 6)

Britain Will 'Freeze' U.S. Trade Cash

(Continued from page 1)

day in the House of Commons petitioned Oliver Stanley, president of the Board of Trade to retain the exhibitor and distributor quotas intact.

Johnston Doubts Injury to Monogram

Reports from London that the indication of a sharp limitation on remittances to the United States by film companies might result in the cessation of shipments of independent product to England—a concern especially marked on the part of British distributors of American independent product—were scouted here yesterday by W. Ray Johnston, president of Monogram.

Johnston made the point that Monogram's product, unlike that of the major companies, is sold to another company which distributes in England, not through a branch of the American company. He said that contracts were signed last November for the 1939-'40 and 1940-'41 product, and that the payment of advance guarantees is stipulated in the contracts.

Counsel in England have advised the company here that they believe Monogram will not be faced with any remittance problem in regard to the exportation of product to that country, and have given it as their opinion that the British Government will do nothing to jeopardize the contracts signed almost a year ago.

Drop Plan for Studio

TORONTO, Oct. 12.—The Canadian Government, through the Canadian Broadcasting Corp., has abandoned plans for the erection of a studio-theatre-concert building here, to provide a centralized headquarters for departments and studio accommodation which are now scattered in various types of structures throughout the city.

Take RKO Wage Cuts

HOLLYWOOD, Oct. 12.—All those approached on salary cuts have accepted them, George Schaefer, RKO president, told the annual Studio Club dinner-dance last night. About 450 attended.

Politics—New Style

Political discussion illustrated by dramatic playlets will be tried at 6:45 P. M. today over WHN. Newbold Morris, opening the campaign for Councilman Robert K. Straus, who is running for reelection, will discuss "County Reorganization," emphasizing the main point by short sketches.

Autry at Rodeo Here

Gene Autry, Republic western star, arrives today by plane from the Coast to make a one-show personal appearance at the Rodeo in Madison Square Garden tomorrow afternoon. He will also be a guest star on Fred Allen's "Town Hall Tonight" program over NBC Wednesday night.

Purely Personal

EDWARD C. RAFTERY of O'Brien Driscoll & Raftery, United Artists counsel, is expected back in New York from the Coast on Monday.

•

LEO SIDOWSKY, assistant manager of Loew's State, yesterday became the father of a daughter, born to MRS. SIDOWSKY at Bethel Hospital in Brooklyn.

•

H. J. YATES, president of Consolidated Film Industries, is due over the weekend from the Coast, where he has been conferring at the Republic studio.

•

RUDY BERGER, M-G-M branch manager in Washington, conferred this week with WILLIAM F. RODGERS and TOM CONNORS at the home office.

•

RAE WINNICK of M-G-M's Los Los Angeles branch is a New York visitor.

•

FRED STORM, Samuel Goldwyn publicity representative, who was slated to be transferred to New York from Hollywood, is remaining on the Coast indefinitely.

•

CONSTANCE BENNETT arrived yesterday from Hollywod via American Airlines for a guest appearance today on the Kate Smith radio show, after which she will start a personal appearance tour.

•

WALTER BRANSON, RKO Midwestern district manager, and T. R. THOMPSON, branch manager at Kansas City, are at the home office for sales conferences.

•

HAROLD HENDEE, director of research for RKO, delivered an address on "Authenticating the Movies" before the Reading, Pa., Motion Picture Forum last evening.

•

ARTHUR ABELES, Warner Brazil manager, will leave Oct. 20 for his headquarters in Rio de Janeiro, after home office conferences with JOSEPH S. HUMMEL for the past three weeks.

•

ISA MIRANDA, European actress, who has just completed an assignment at the Paramount studio, was granted her first citizenship papers yesterday at the Naturalization Court, Los Angeles.

•

R. M. SAVINI, president of Astor Pictures, is expected from Chicago tomorrow after a trip covering Los Angeles, San Francisco and Seattle.

•

CHARLES COHEN of M-G-M's publicity department will vacation in Boston next week.

•

CHESTER MORRIS arrives from the Coast tomorrow.

•

BERTHA HOFFMAN of M-G-M's home office accounting department was married yesterday to VINCENT WITT.

•

NATE BLUMBERG, BUDD ROGERS, JACK WARNER, JR., PAUL LAZARUS, SAM CITRON, HARRY BUCKLEY, WALTER READE, JR., ALLAN FRIEDMAN, HARRY SPEISS, ED KUYKENDALL and LOU POLLOCK at BOB GOLDSTEIN'S Tavern for lunch yesterday.

•

LOUIS K. SIDNEY returns tonight to New York from the Coast.

JACK MOSS, Paramount producer now on location with a crew at Albany, Ga., will leave for the Coast in a few days.

•

HARRY DAVID, Paramount theatre operator at Salt Lake City, is in New York for home office conferences.

•

JULES RUBENS of Great States circuit leaves New York for Chicago today after two weeks here.

•

MYRON BLANK, son of A. H. BLANK, Tri-States Circuit, has returned to Des Moines following a New York visit.

•

ED KUYKENDALL, M.P.T.O.A. president, plans to leave New York for his Columbus, Miss., home this weekend.

•

MURRAY SILVERSTONE, United Artists chief executive, delayed his departure from the Coast one day and is now slated to arrive in New York on Sunday.

•

GLEN GRAY and his Casa Loma orchestra flew via TWA last night to Omaha. ROSE BAMPTON went out to St. Louis on the plane.

Sidney Lust Heads Capital Variety Club

WASHINGTON, Oct. 12.—Sidney Lust was elevated from first assistant chief barker to chief barker of the local Variety Club at the annual elections held in the Willard Hotel.

Lust, heading a circuit bearing his name, has been a member of the club's board for the last three years and has been chairman of various committees.

Hardie Meakin, manager of RKO Keith's, was reelected first assistant chief barker. Edward Fontaine, Paramount branch manager, was named second assistant chief barker; Sam Galanty, for the fifth successive year, was elected treasurer, and Nate Golden, chief of the Motion Picture Division of the Department of Commerce, was elected secretary. Ray Bell of Loew's publicity staff remains as executive secretary.

The newly elected board of governors includes John J. Payette, Archie Engel, Sam Galanty, Sidney Lust, Hardie Meakin, Fred Rohrs, Edward Fontaine, Harry Brown, Nate Golden, Harry Lohmeyer and Clark Davis. Also on the board are the club's past chief barkers.

Mrs. John Tracy Dies

Mrs. John Tracy, mother-in-law of John J. O'Connor, vice-president and general manager of RKO Theatres, died early yesterday morning. Funeral services will take place tomorrow at 10:30 A. M. at the Holy Family Church, New Rochelle, until which time the body will be at Brady's Funeral Parlor, 427 North Avenue, New Rochelle.

Charles Rackliffe Dies

HOLYOKE, Mass., Oct. 12.—Charles W. Rackliffe, 79, for many years an operator of theatres in Holyoke, Springfield and Northampton, is dead here. Surviving are a daughter and two brothers.

Strictly Informal

National Press Club has waived its rules on formality for the dinner to be held in Washington Tuesday night prior to the screening of "Mr. Smith Goes to Washington." Invitations had read that black ties would be in order. Leonard Gaynor of Columbia yesterday advised guests: "Mr. Smith has decided to stay in character. So formal attire, from black ties to knee breeches, is not required."

Newsreel Parade

Newsreels again concentrate on the war and related events, chiefly the guarding of the Panama Canal and the arrival of the Iroquois. *The reels and their contents follow:*

MOVIETONE NEWS, No. 10—Panama Canal under guard. British troops to France. King inspects Royal Air Force. General Gort leaves for war zone. Dr. Benes urges peace. Daladier replies to Hitler. Biddle arrives in Paris. Rodeo in New York. Log drive in Maine. Futurity at Belmont Park. Girls play football in Hollywood. Yachting on Long Island Sound. Lew Lehr.

NEWS OF THE DAY, No. 208—Panama Canal protected. Britain rushes troops to France. King and Queen inspect Scottish regiment. *Iroquois* arrives in New York. Hat fashions. Carnegie Tech vs. Temple football game. Daredevil performs in Atlanta.

PARAMOUNT NEWS, No. 13—*Iroquois* returns from Europe. Hoover speaks. French troops leave for front. Windsor at Paris headquarters. French Government takes over Paramount studios. French soldiers on German soil. Government set to defend Panama Canal.

RKO PATHE NEWS, No. 25—U. S. reinforces Canal defenses. British troops off for France. French troops in Saar valley. New York children play football. *Iroquois* arrives under convoy. Bullitt welcomes Biddle in Paris. Chandler takes post as Senator. Cornell vs. Syracuse football.

UNIVERSAL, No. 814—Panama Canal defenses. *Iroquois* arrives. Profit parade in St. Louis. War activities in France. Futurity race at Belmont. Kids' football game. Motorcycle hill climb.

Standard Deal Set

Standard Pictures Distributing Corp. has signed a franchise deal with Mike Siegel of Imperial Pictures Corp., Washington, for Standard's 1939-'40 program.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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JANIE AND JIM...

BLONDE IN BUCKSKIN;
FIGHTING FRONTIERSMAN
...AROUND THEM ROARS
THE CONFLICT OF A NATION
ABORNING... IN
RKO RADIO'S SPECIAL
OF ALL
SPECIAL ACTION SHOWS!

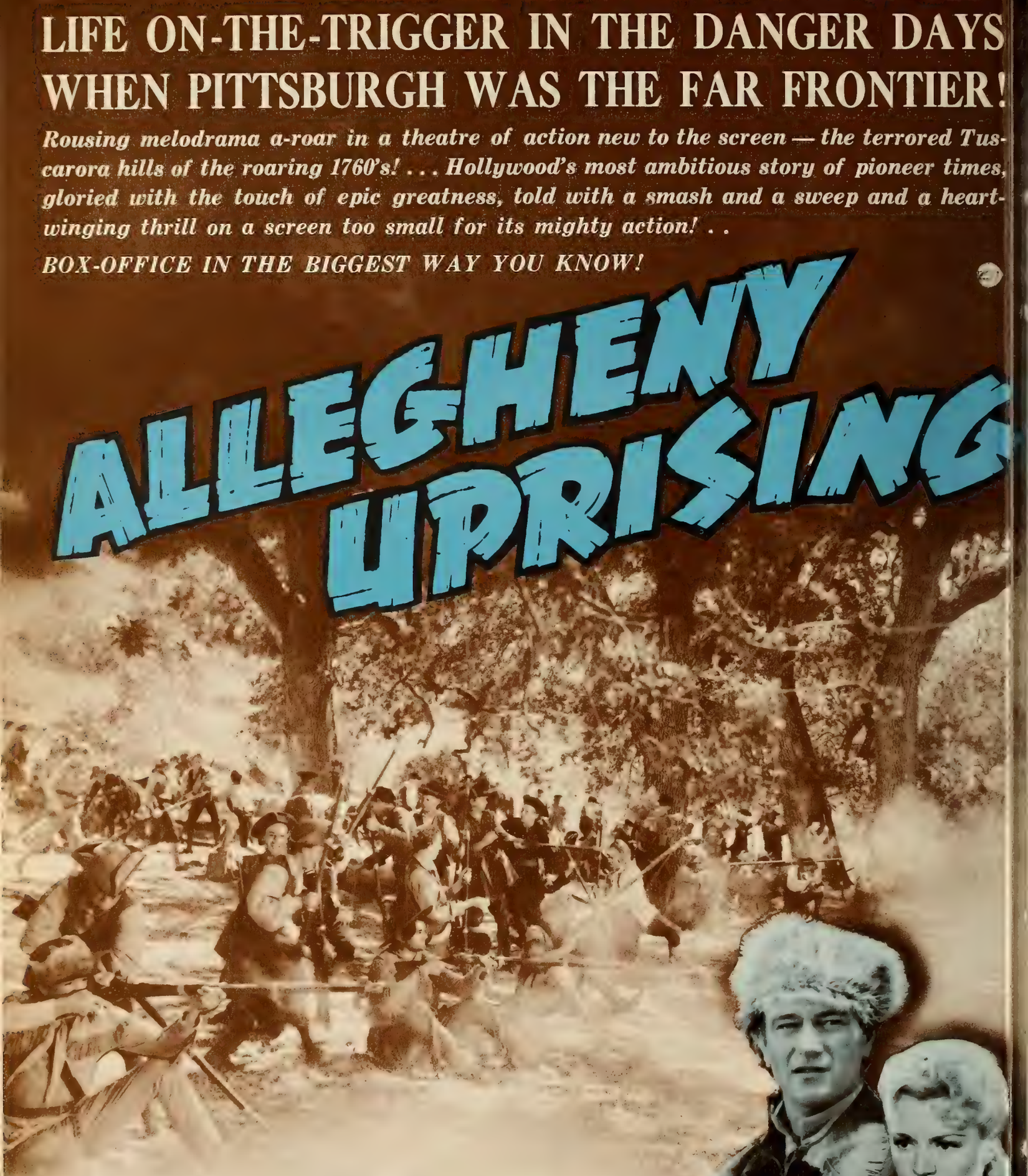


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Rousing melodrama a-roar in a theatre of action new to the screen — the terrored Tuscarora hills of the roaring 1760's! . . . Hollywood's most ambitious story of pioneer times, gloried with the touch of epic greatness, told with a smash and a sweep and a heart-winging thrill on a screen too small for its mighty action! . .

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Produced by P. J. Wolfson • Directed by William A. Seiter

PANDRO S. BERMAN *in Charge of Production*

Screen Play by P. J. Wolfson

RKO RADIO PICTURES

'What a Life' Los Angeles Best, $23,000

LOS ANGELES, Oct. 12.—"What a Life" at the Paramount, with a stage show headed by the Dead End Kids, led the parade here with a gross of $23,000. "Hollywood Cavalcade" drew a strong $8,800 at the 4 Star.

Estimated takings for the week ending Oct. 11:

"Here I Am a Stranger" (20th-Fox)
"The Adventures of Sherlock Holmes" (20th-Fox)
CHINESE — (2,500) (30c-$1.00) 7 days. Gross: $8,000. (Average, $12,500)
"Hollywood Cavalcade" (20th-Fox)
4 STAR—(900) (40c-50c) 7 days. Gross: $8,800. (Average, $3,250)
"Fifth Avenue Girl" (RKO)
"Full Confession" (RKO)
HILLSTREET—(2,700) (30c-65c) 7 days, 2nd week. Gross: $7,800. (Average, $6,500)
"Here I Am a Stranger" (20th-Fox)
"The Adventures of Sherlock Holmes" (20th-Fox)
LOEW'S STATE — (2,500) (30c-$1.00) 7 days. Gross: $9,900. (Average, $14,000)
"Fifth Avenue Girl" (RKO)
"Full Confession" (RKO)
PANTAGES—(3,000) (30c-65c) 7 days, 2nd week. Gross: $6,500. (Average, $7,000)
"What a Life" (Para.)
PARAMOUNT—(3,595) (30c-65c) 7 days. Stage: Count Basie and his orchestra, Dead End Kids. Gross: $23,000. (Average, $18,000)
"The Angels Wash Their Faces" (W. B.)
"Kid Nightingale" (W. B.)
WARNER BROS. (Hollywood) — (3,000) (30c-65c) 7 days. Gross: $8,600. (Average, $14,000)
"The Angels Wash Their Faces" (W. B.)
"Kid Nightingale" (W. B.)
WARNER BROS. (Downtown) — (3,400) (30c-65c) 7 days. Gross: $10,800. (Average, $12,000)

'Co-Ed' Providence Leader at $12,500

PROVIDENCE, Oct. 12.—"Dancing Co-Ed" and "Career" at Loew's State were good for $12,500, while the Strand's dual, "What a Life" and "Flight at Midnight," drew a good $7,000.

Estimated takings for the week ending Oct. 3-5:

"Dancing Co-Ed" (M-G-M)
"Career" (RKO)
LOEW'S STATE—(3,230) (25c-35c-50c) 7 days. Gross: $12,500. (Average, $11,000)
"What a Life" (Para.)
"Flight at Midnight" (Rep.)
STRAND — (2,100) (25c-35c-50c) 7 days. Gross: $7,000. (Average, $6,000)
"Fifth Avenue Girl" (RKO)
"The Spellbinder" (RKO)
RKO-ALBEE — (2,239) (25c-35c-50c) 7 days, 2nd week. Gross: $4,500. Average, $6,000)
"Adventures of Sherlock Holmes" (20th-Fox)
"No Place To Go" (F. N.)
MAJESTIC—(2,250) (25c-35c-50c) 6 days. Gross: $5,000. (7-day average, $7,000)
"Two Bright Boys" (Univ)
FAY'S—(1,800) (25c-35c-40c) 7 days. Vaudeville. Gross: $5,700. (Average, $6,500)
"Dust Be My Destiny" (W. B.)
"Nancy Drew and Hidden Staircase" (W. B.)
CARLTON—(1,526) (25c-35c-50c) 6 days 2nd week. Gross: $3,000. (7-day average. $3,500)
"Wizard of Oz" (M-G-M) (3 days)
"Quick Millions" (20th-Fox) (3 days)
"Each Dawn I Die" (W. B.) (4 days)
"Stanley and Livingstone (20th-Fox) (4 days)
EMPIRE—(2,200) (20c-30c) 7 days, 2nd run. Gross: $1,600. (Average, $1,800)

Has French Newsreel

French Cinema Center has acquired American distribution rights to a series of weekly news issues, to be known as "Bulletins." They will be numbered consecutively and run for 10 minutes each. They will be flown to New York from Paris by clipper, and commentary will be in English.

Hollywood Previews

"Sued For Libel"

(RKO)

HOLLYWOOD, Oct. 12.—Making use of the value of a good story, convincingly acted and sanely directed against meaningful backgrounds and settings, this Cliff Reid production for RKO-Radio comes up on the screen as highly entertaining screen merchandise. Wolfe Kaufman's original supplies comedy, complicated mystery melodrama and romantic love interest. The carefully constructed plot and counterplots are vividly expanded in Jerry Cady's theatrical, yet sensible screen play. As Reid made efficient use of the production budget there's a showmanship flaire to Leslie Goodwin's direction that takes complete advantage of all entertainment fundamentals.

With their work expertly charted for them, the cast, which has Kent Taylor, Linda Hayes, Morgan Conway, Richard Lane and Lillian Bond as principals and Roger Pryor, Thurston Hall and Keye Luke in support, went about the business of making "Sued for Libel" pictorially real. A practical joke puts Taylor, radio news broadcaster, behind the eight ball. To avenge a broadcast that reported him convicted of murder whereas the jury had acquitted him, Conway sues Taylor and his company for libel. Things must be done. Taylor does them. Miss Hayes is a willing aide. Lane who perpetrated the gag joins up. The trio seeks to pin the murder guilt on Conway. But they are mistaken, yet they do turn up a murderess.

Fun, fast action, excitement, suspense and surprise establish "Sued for Libel" as a show that probably will have quite a percentage of ordinary folks in the audience keenly interested in the film.

Running time, 65 minutes. "G."* G. McC.

"Pack Up Your Troubles"

(20th Century-Fox)

HOLLYWOOD, Oct. 12.—"Pack Up Your Troubles" is an extraordinary feature, oddly reminiscent of one of the best World War comedies ever made—"Two Arabian Nights." The combination of Jane Withers, who doesn't have very much to do, and the Ritz Brothers, who do, make this one of the outstanding farces concerning the war—any war.

"Pack Up Your Troubles" was directed by H. Bruce "Lucky" Humberstone with one apparent idea—that was to give the Ritzes full play in their antics. He did, they did, and as a result, and it is judged primarily upon the audience reaction at the preview, the picture is a howling, smashing, shrieking success.

Supporting Miss Withers, whose box-office name is not to be ignored, and the Ritzes, are Lynn Bari, Joseph Schildkraut, Stanley Fields, Fritz Leiber, Lionel Royce, Georges Renavent, Adrienne d'Ambricourt, Leon Ames, William von Brincken, Ed Gargan, Robert Emmett Deane and Henry Victor.

The Ritzes, having a German dialect act in vaudeville, are confused with a German trio in the World War and, facing conviction as spies, they manage to bring back the German general in the opposing forces to win renown. The story is comedy personified.

Running time, 99 minutes. "G."* VANCE KING

*"G" denotes general classification.

Form Film Board In New Zealand

WASHINGTON, Oct. 12.—A Film Board of Internal Control has been formed in New Zealand, according to a report to the Department of Commerce from the American Consul General at Wellington.

Censorship figures published by the New Zealand authorities indicate that the percentage of British quota films to the total number of quota films dropped from 19.2 per cent during the period April, 1937-March 31, 1938, to 13.7 per cent for the fiscal year ended March 31, 1939.

Robinson as Franklin

"Benjamin Franklin," a story based on the life of the noted American stateman, will provide Edward G. Robinson with a future starring vehicle, Warners announced yesterday.

Para. Suit Against Printer Reopened

OKLAHOMA CITY, Oct. 12.—Suit by Paramount Pictures against the Leader Press, Inc., dismissed in April, 1937, was ordered reopened this week by a decision of the U. S. Circuit Court of Appeals.

Paramount charges that the printing company manufactured and sold advertising novelties, accessories and posters, using the names of Paramount stars and pictures without giving credit to the film company.

Complete Carver Film

Bryant Productions has completed a feature, "George Washington Carver," based on the life and work of the renowned Negro scientist. Ben Parker directed, from a story by Robert L. Shurr. Ira Greene was in charge of production.

Concert Notes

S. Hurok's attraction, the Ballet Russe de Monte Carlo, has had to postpone its opening, originally set for this week at the Metropolitan Opera, to Oct. 26 because of the tardy arrival of some of its stars and other general shipping delays. This troupe numbers 60 dancers, headed by Leonid Massine, Alexandra Danilova, Alicia Markova, Mia Slavenska, Nini Theilade, Frederic Franklin, Roland Guerard, Marc Platoff and George Zoritch.

New York will get an overdose of six ballet premieres this year, because of the curtailed London run. Topping the array is Richard Rodgers' "Ghost Town" with costumes by Raoul Pene Du Bois, the latter of the Billy Rose forces. A tour of 70 cities follows the New York engagement. The old Diagheliv troupe was forced to disband during the World War, but there is a strong possibility that this newer troupe will remain here indefinitely and maintain headquarters in New York.

Cancels European Dates

Marian Anderson cancelled her European dates outright because of the war and is concentrating all of her time now on the U.S. Her first New York appearance is set for Nov. 29. Jan Kiepura has already arrived here and will sing at the World's Fair Polish Day tomorrow and the same night at a Polish celebration in the 125th Regiment Armory.

Approximately 100 of Columbia Concert's 126 artists and groups are now safe in the United States awaiting starting dates for their platform appearances. Fifteen artists at present still on the Continent have written managers that they will sail within a month for New York.

Brownlee's Tour

Jown Brownlee, baritone, has been released by the Australian Government, and will arrive in November, stopping en route to sing in Honolulu. South African tours, the first of a newly organized series under Columbia's banner, still detain Gaspar Cassado and Carola Goya. The Jooss Ballet will sail from England during the holidays to open in New York during January. Devi Dja and the Balinese troupe of dancers sail shortly on a Dutch boat. F. C. Coppicus of Columbia Concerts signed this attraction while in Europe last summer. It will be the first American appearance for the troupe.

Charles Hackett, American tenor of the Metropolitan Opera, has been signed by Embree Concert Service, Inc., for an extensive concert tour, which will take him to the principal concert centers of America. He will be heard in a joint recital with Ruth Bretton, young American violinist.

Eugene Loring of Ballet Caravan unit gets choreography assignment on Erik Charrel's, "Swingin' the Dream." It is his first major Broadway job.

Pam-O Film Deal

Pam-O Film Exchanges in Albany and Buffalo have closed a franchise deal with Budd Rogers for the entire 1939-'40 product of Alliance Films. Distribution in Philadelphia and Washington is to be handled by International Pictures Distributing Co.

Short Subject Review

"Housing in Our Time"

(U. S. Housing Authority)

This documentary film, produced by Courier Productions as propaganda for the U. S. Housing Authority, tells the purpose of the Federal housing project and illustrates case histories of blighted sections turned into cheerful residential areas where low-income earners may live in decency and comfort. Much of the footage is devoted to the Jacksonville, Fla., project, showing by an actual example how families are rehabilitated from slums to modern dwellings through the cooperation of municipalities with the Federal housing project.

The film stresses the benefits that accrue to the general welfare in providing decent housing for the underprivileged "one third of the nation." Harold McCracken handled the production and Alois Havrilla does the narration. The film will be distributed free to theatres, schools and organizations by the local housing administrators. Running time, 20 mins.

AGMA Deal With Ballet Russe Near

American Guild of Musical Artists' deal with the Ballet Russe de Monte Carlo is expected to be completed this week. With the signing of this Russian troupe, A.G.MA.'s dance roster will number approximately 500 dancers. Sixty-five members are included in the troupe, mostly all of whom are of Russian birth. The ballet opens Oct. 26 at the Metropolitan Opera.

Kate Smith Sues

Kate Smith and Kated Corp., her agent, have filed suit in N. Y. Supreme Court against another Kate Smith, trading as Smith Company, and asked the court for $100,000 damages and an injunction restraining the defendant from selling nightgowns and slips under the name "Kate Smith Stouts." Hearing on a temporary injunction is scheduled Monday.

Radio Personals

Richard Marvin, vice-president of William Esty Co., left Hollywood by plane yesterday for Nashville, Tenn., where "Grand Ol' Opry," sponsored by Prince Albert tobacco, starts tonight. . . .

James Rubano, night host at the WICC, New Haven, studios, weds Lora Pontecarvo Monday.

Edward Everett Horton co-stars with Lucile Watson in the Texaco "Star Theatre" Wednesday at 9 P. M. over CBS. . . . Milton Berle's book, "Laughingly Yours," will be off the presses shortly. . . . Ronald Colman and Joan Crawford will be heard Sunday at 7:30 over CBS in the "Screen Guild Theatre" show. . . . Jimmy Dorsey will be interviewed by Maurice Hart on WMCA today at 4:15 P. M.

"Disputed Passage"

[Paramount]

(*Continued from page* 1)

three-quarters of the film is a large metropolitan hospital; war-torn China is the background for the rest of the action. Like all Douglas' writing this is deeply sincere and a story that never is ordinary. Its personalities are vivid and exceptions, and yet human, and under Borzage's guidance they are convincingly real.

Science is the only god worshipped by Akim Tamiroff, a strong-willed, intolerant doctor. Among all his medical students he chooses John Howard to become his protege. The honor is a challenge, acceptance of which often brings Howard into fierce conflict with his mentor. But not until Howard falls in love with Dorothy Lamour, Chinese-born American girl, does he commit what Tamiroff considers the greatest sin.

The consequent clash between the two is drama of the kind that Borzage can make when he is at his best. But when the news is brought to Tamiroff that his pupil has been dangerously injured during the bombing of a Chinese hospital while ministering to the wounded as he is seeking Miss Lamour, Tamiroff flies half way around the world to perform a life-saving operation.

Tamiroff's characterization is another long upward step in a career which seems to be ascending by leaps and bounds. Audiences almost surely will agree that this is Howard's best performance. Miss Lamour handles her first real dramatic role in commendable style. While this trio carries the picture, worthy support is contributed by William Collier, Sr., Judith Barrett, Victor Varconi, Gordon Jones, Keye Luke and Gaylor Pendleton.

Although the general tone of the picture is serious, an occasional pause is made for touches of natural comedy, which ease the dramatic tension. Produced by Harlan Thompson, "Disputed Passage" is a prestige attraction which should attract considerable popular attention.

Running time, 90 minutes. "G."* G. McC.

**"G" denotes general classification.*

'Tropic Fury' Yields $11,000 in Milwaukee

MILWAUKEE, Oct. 12.—"Tropic Fury," with Lawrence Welk's band on the stage, connected for $11,000 on the Riverside. "The Women" grossed $7,500 at Fox's Wisconsin.

"Beau Geste" (Para.)
"$1,000 a Touchdown" (Para.)
PALACE—(2,400) (25c-35c-50c) 7 days, 2nd week. Gross: $4,000. (Average,, $4,000)
"Tropic Fury" (Univ.)
RIVERSIDE—(2,700) (25c-30c-40c) 7 days. Stage: Lawrence Welk. Gross: $11,000. (Average, $6,500)
"The Old Maid" (W. B.)
"Mr. Moto Takes a Vacation" (20th-Fox)
STRAND—(1,400) (25c-35c-50c) 7 days, 2nd week. Gross: $1,200. (Average, $1,500)
"They Shall Have Music" (U. A.)
"Unexpected Father" (Univ.)
WARNER — (2,400) (25c-35c-50c) 7 days. Gross: $6,000. (Average, $4,500)
"The Women" (M-G-M)
WISCONSIN—(3,200) (25c-35c-50c) 7 days. Gross: $7,500. (Average, $5,500)

'Honeymoon' Hits $6,800, New Haven

NEW HAVEN, Oct. 12.—"Honeymoon in Bali" and "Risky Business" at the Paramount drew $6,800. The holdover of "Thunder Afloat" and "Stronger Than Desire" grossed $3,100 at the Loew-Poli-College.

Estimated takings for the week ending Oct. 6:

"Thunder Afloat" (M-G-M)
"Stronger Than Desire" (M-G-M)
COLLEGE—(1,499) (35c-50c) 6 days, 2nd week. Gross: $3,100. (Average, $2,700)
"Blackmail" (M-G-M)
"These Glamour Girls" (M-G-M)
LOEW-POLI — (3,040) (35c-50c) 6 days. Gross: $7,100. (Average, $8,000)
"Honeymoon in Bali" (Para.)
"Risky Business" (Univ.)
PARAMOUNT—(2,348) (35c-50c) 8 days. Gross: $6,800. (Average, $4,000)
"Espionage Agent" (W. B.)
"No Place To Go" (W. B.)
ROGER SHERMAN—(2,200) (35c-50c) 7 days. Gross: $3,200. (Average, $5,000)

'U-Boat' at $3,000 In Oklahoma City

OKLAHOMA CITY, Oct. 12.—As the heat and summer weather continued, with no general rain in sight, "U-Boat 29" and "Calling All Marines" at the State drew a leading $3,000.

"In Name Only" (RKO)
CRITERION—(1,500) (25c-35c-40c) 7 days. Gross: $3,600. (Average, $4,500)
"Indianapolis Speedway" (W. B.)
"They Asked for it" (Univ.)
LIBERTY—(1,200) (15c-20c-25c) 7 days. Gross: $2,400. (Average, $2,400)
"Fast and Furious" (M-G-M)
MIDWEST—(1,500) (25c-35c-40c) 7 days. Gross: $3,300. (Average, $3,250)
"Thunder Afloat" (M-G-M)
PLAZA—(750) (25c-35c-40c) 7 days, 2nd week. Gross: $900. (Average, $1,100)
"U-Boat 29" (Col.)
"Calling All Marines" (Rep.)
STATE—(1,100) (15c-20c-25c) 7 days. Gross: $3,000. (Average, $2,250)
"The Rains Came" (20th-Fox)
TOWER—(1,100) (25c-30c-35c) 7 days. Gross: $2,200. (Average, $1,750)

'Bali,' with $12,000 Leads in Cleveland

CLEVELAND, Oct. 12.—"Honeymoon in Bali" at Loew's State scored $12,000 to lead the grosses here.

Estimated takings for the week ending Oct. 5:

"Coast Guard" (Col.)
ALLEN — (3,000) (30c-35c-42c) 7 days. Gross: $3,500. (Average, $4,000)
"The Rains Came" (20th-Fox)
WARNERS' HIPPODROME—(3,800) (30c-35c-42c) 7 days, 2nd week. Gross: $10,000. Average, $11,000)
"The Under-Pup" (Univ.)
RKO PALACE—(3,160) (30c-42c-55c) 7 days. Stage: John Boles and show. Gross: $14,000. (Average, $14,000)
"Honeymoon in Bali" (Para.)
LOEW'S STATE—(3,500) (30c-35c-42c) 7 days. Gross: $12,000. (Average, $11,000)
"Our Leading Citizen" (Para.)
LOEW'S STILLMANN—(1,900) (30c-35c-42c) 7 days. Gross: $2,500. (Average, $4,000)

Theatre, Personnel Notes

Replace Chicago Theatre

CHICAGO, Oct. 12.—One of the oldest theatres on the West Side—the Imperial—is being torn down and a new motion picture house built in its place. Frank A. P. Gazzolo, owner of the building, says $50,000 will be spent on the new structure.

Close for RCA Sound

RCA Photophone sound equipment is to be installed in the following theatres: Olathe, Olathe, Colo.; Strand, South Bend, Ind.; Princess, Hartford, Conn.; new theatre at Columbus, Kan.; Roosevelt, Bentleyville, Pa.

Open Oklahoma City House

OKLAHOMA CITY, Oct. 12.—The new Villa here was completed recently. It accommodates 400 persons. The owners are J. L. Groves, who will be active manager, and Mrs. Izah Adams.

Take Illinois Theatre

ROCKDALE, Ill., Oct. 12.—LeRoy Luken, James Galdwin and William Luken have taken over the Dale here and will reopen it this month. The theatre was formerly known as the Helena. It has been completely renovated.

Plan Ohio Theatre

BRYAN, O., Oct. 12.—A new theatre, costing $40,000, will be built for the Ellaness Theatre Co., which operates the Temple here. The new theatre will seat 700.

Plan Connecticut House

WETHERSFIELD, Conn., Oct. 12.—The Shulman interests, operators of the Rivoli and Webster in Hartford and the Plaza, Windsor, will build a house seating 600 in Wethersfield, which will be the first theatre in town.

Charter Florida Company

ORLANDO, Fla., Oct. 12.—The Orlando Drive-in Theatre, Inc., has been chartered here, with 150 shares of preferred stock and 300 shares of common, by George Wilby, Frank Harris and Harris Robinson.

Milberg Quits Albany

ALBANY, Oct. 12.—Sam Milberg has resigned as a salesman from Monogram's Albany exchange. Milberg operates the Family, Watervliet and the Ritz, Scotia, N. Y.

Lease S. C. Theatre

CHESTER, S. C., Oct. 12.—Chester Theatres, Inc., have leased the A. H. Wherry Building here and will convert it into a theatre at a cost of about $55,000.

Open Atlanta Theatre

ATLANTA, Oct. 12.—The Hangar, Atlanta's newest picture house, has opened.

Plan Georgia House

CUTHBERT, Ga., Oct. 12.—M. G. Lee will construct a theatre here to seat 400.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 74 NEW YORK, MONDAY, OCTOBER 16, 1939 TEN CENTS

Orange County Suit Dismissed; Fight on Costs

Plaintiff Drops 2-Year-Old Anti-Trust Action

The Orange County Theatres' anti-trust suit against five major distributors and the Paramount theatres in Newburgh, N. Y., operated by George Walsh, was dismissed with costs by Federal Judge John W. Clancy after the case had been called for trial in U. S. District court here on Friday.

Motion Picture Daily reported exclusively on Friday that the plaintiffs would ask for dismissal of their suit and that the defendants would insist upon a trial unless plaintiffs were directed to bear the cost of the action.

The reason for collapse of the case, Isaac Miller, president and general counsel of Orange County Theatres, informed the court, was that Harry Friedman, former president of the plaintiff corporation and its chief witness, is now engaged in litigation

(Continued on page 6)

Trust Trial Before March Is Doubtful

Trial of the Government's New York anti-trust suit is not expected to be begun before next March, Paul Williams, assistant to Thurman Arnold in the prosecution of the suit, said in New York on Saturday.

Williams' statement is interpreted as an indication that the Government either does not want or does not expect Federal Judge John C. Knox to grant its motion for a preference for the suit on the Federal court trial calendar here. In applying for the

(Continued on page 6)

Studio Crafts Demand 10% Wage Increase; Strike Threat by Painters

Hollywood, Oct. 15.—Five locals whose members work in film studios Friday demanded of film producers a blanket 10 per cent wage increase for their crafts. They are plasterers, plumbers, machinists, studio utility employes and molders groups.

Meanwhile the strike threat of moving picture painters, Local 644, in event that producers do not grant them a 15 per cent wage increase by Monday, apparently was averted for a week when Pat Casey, producer's labor contact man, stepped back into the local picture and asked for continuance of the deadline for one week.

The five organizations which demanded a wage boost Friday have agreements with producers nearing or past expiration dates. They belong to the A. F. of L. studio crafts conference which hopes to influence William Bioff, I.A.T.S.E. leader, to accept chairmanship for further negotiations.

Nathanson Favors Local Conciliation

N. L. Nathanson, president of Famous Players Canadian Corp., favors local conciliation boards in Canada to solve exhibitors' problems. He does not believe that a national conciliation setup is feasible.

Independent exhibitors in Canada have been urging the creation of tribunals where clearance and other problems may be settled.

"There are two sides to the protection problem," said Nathanson, who left New York for Toronto Saturday. "It must be realized that the large theatres bear the burden of rentals which make possible the continuing

(Continued on page 4)

Majors, 306 Ready For Neutral Arbiter

Chief Justice Frederick Crane of the N. Y. State Court of Appeals on Friday received the application of New York City's major circuits to designate a neutral arbitrator on the board that will decide wage scales and working conditions for operators for the next two years.

Notice of the application was served on Local 306 in Justice Crane's chambers in Brooklyn, and a preliminary discussion was held. Another conference will be held with the Judge in a week or 10 days.

The problem was not presented in full at Friday's discussion. Union

(Continued on page 4)

Film Engineers Convene Today

More than 50 papers covering every phase of motion picture technology will be presented at the Fall convention of the Society of Motion Picture Engineers which starts at 9 A. M. today at the Hotel Pennsylvania. Hundred of delegates from all sections of the country arrived over the weekend.

Following registration, the convention will get under way at 10 A. M. with a general and business session at which committee reports will be heard, elections of officers for 1940 will be held and two papers read. Delegates will be greeted by E. A. Williford, president.

At the informal get-together lunch-

(Continued on page 4)

Revised Sales Policies Hailed By Kuykendall

Visions Solution of Block Booking Problem

A fair application of the new 20-15-10 per cent cancellation clauses in license agreements "will permanently solve the block booking problem for the small exhibitor," Ed Kuykendall, M.P.T.O.A. president, states in an organizational bulletin issued prior to his departure from New York on Saturday.

Summing up in the bulletin on what has been accomplished for exhibitors through the individual trade practice concessions made recently, Kuykendall says that "most distributors are going to give" the 20-15-10 per cent cancellation right, "and in addition you will probably, but not invariably, be able to cancel any pictures actually offensive to the people in your community."

"If this policy is generally adopted without too many qualifying restrictions, each of which cuts down the

(Continued on page 6)

Buffalo Opens Drive On Theatre Games

Buffalo, Oct. 15.—Lieut. William R. Griffis, head of the police anti-gambling squad, has been authorized to take "immediate action" in curbing theatre cash games. The action came after a conference Friday in the office of Police Commissioner Glenn H. McClellan.

The drive against Bank Night, Bingo, Ten-O-Win and other games, expected to affect almost every neighborhood theatre in Buffalo, is based on a decision of the N. Y. Court of

(Continued on page 6)

Short Wave Film Broadcasts Grow Popular in Foreign Countries

By ALFRED FINESTONE

The short-wave broadcasts on films sent to Latin America and Europe by NBC and CBS have been receiving increasing attention since the outbreak of war. The programs are now in their 17th week. They are based on material provided by the film companies' foreign departments and coordinated through the Hays office.

Reaction obtained by the networks is that European listeners are tuning in more frequently to short-wave broadcasts from the United States for uncensored war news. Likewise, South Americans have grown skeptical of information transmitted by European stations and have turned to the airwaves from the North for news of what's going on. The film broadcasts have gained larger audiences as a result.

Apart from this, both CBS and NBC report good reaction to the film series on the basis of audience interest, as gauged by letters and newspaper comment.

Started experimentally June 30, to cultivate goodwill for the film companies and focus attention on new releases, the series is now well established and will continue indefinitely. The only interruption occurred during the first two weeks of the European conflict when CBS kept its channels open for spot broadcasts of war news and drastically curtailed other news programs.

NBC recently started measuring reaction by offering postcard size photos of stars free to listeners. The first response came from South America and totaled 50 requests. The demand has steadily grown.

The broadcasts are in six languages, including English, French, Spanish, Portuguese, Italian and German, and are spread over the week, with a definite 15-minute period allotted to each. The networks rate them far superior to the regular film chatter programs on the air.

The material is of the "column of

(Continued on page 2)

Trade Chiefs To Pittsburgh Variety Fete

PITTSBURGH, Oct. 15.—Rev. Edward Flanagan of Boys Town, Nebraska, and C. J. Latta, new chief barker, will be honored guests at the eleventh annual banquet of Variety Club, tent 1, to be attended by leaders of the motion picture and radio industry Oct. 29 in the William Penn Hotel.



C. J. Latta.

Father Flanagan, recipient this year of the national Variety Clubs' first Humanitarian Award, will share speaking chores with James Roosevelt, Senator James J. Davis, former Gov. Harold Hoffman of New Jersey, and several nationally famed entertainers, General Chairman John H. Harris has announced.

Reservations have already been received from many executives of the entertainment world, including Ned Depinet, Jack Cohn, Edgar Moss, William Rodgers, Sidney Kent, Herman Wobber, Neil Agnew, George Dembow, Rube Jackter, Ed Golden, Nate Blumberg, Robert Christenberry, Frank Andrews, T. W. Carroll, W. J. Clark, Ed Kuykendall, Robert O'Donnell, George Roberts, A. E. Lichtman, Jules Levy, Gradwell Sears, Press Smith, William Scully, Major Casey, Ben Towsley, Harvey Day, Sam Dembow, Max Cohen, F. G. McCarthy, Ted O'Shea, Sam Golanty, Herbert Yates, E. Grainger, Dave Palfryman, William Goering, and Ed Sterling.

Also expected are William McKechnie, William Kern, Senators Joseph Guffey and Rush Holt, and sportsmen, financiers, politicians, businessmen and others. Accommodations for 800 have already been sold out.

Elected this week as chief barker, succeeding Ira Cohn, 20th Century-Fox exchange manager, Latta is assistant general manager of Warner Bros. theatres in the Tri-State zone, in charge of the Main Line.

Accompanying him into office for 1939-1940 will be first assistant chief barker, C. C. Kellenberg, 20th-Fox; second assistant chief barker, Burt Bishop, Jr., Metro-Goldwyn-Mayer; dough guy, incumbent M. N. Shapiro of Shapiro-Fineman theatres; property master, incumbent Al T. Weiblinger of the Philadelphia Co.

Directors are M. A. Rosenberg, Rialto theatre owner and president of the Motion Picture Theatre Owners of Western Pennsylvania; George D. Tyson, publicity director Harris Amusement Co.; M. J. Gallagher, concessionaire, Duquesne Garden; Art England of England Enterprises; Brian McDonald, radio entertainer, and L. Elmer Ecker, lawyer.

Delegates to the Dallas convention will be Harry Kalmine, general manager for Warner Bros. Tri-State theatres, and Harry Feinstein, Warner booker.

Purely Personal

MURRAY SILVERSTONE, operating head of United Artists, returned from the Coast yesterday.

•

LEONARD GOLDENSON, Paramount home office theatre executive, goes to Atlanta today to resume discussions there on a new operating agreement for the Paramount houses in the Lucas & Jenkins circuit.

•

BERNARD MILLS, former manager of Republic's Albany branch, will be tendered a testimonial dinner Oct. 30 by exchange managers there. ARTHUR NEWMAN, head of Republic, is in charge.

•

MEL SHAUER, BILL GERMAN, PAUL LAZARUS, JR., KENNETH CLARK, HERBERT BERG, MAURICE BERGMAN and LOU POLLOCK among those lunching at BOB GOLDSTEIN'S Tavern Friday.

•

AL ROSEN, manager of Loew's State, is looking in at the theatre for a while each day while recuperating from two operations. He will be back on the job shortly.

•

ROBERT GILLHAM, director of advertising and publicity for Paramount, will leave on Wednesday for Albany, Ga., where JACK MOSS'S unit is working on location.

•

HARRY HELLMAN, operator of the Royal and Paramount in Albany, and MRS. HELLMAN are vacationing here while their son, NEIL, is managing the two houses.

•

R. J. O'DONNELL of Dallas and GASTON DUREAUX of New Orleans left New York over the weekend following brief visits here.

•

PHILIP TANNURA, cameraman who arrived last week from abroad, is scheduled to leave for Hollywood the end of this week.

•

J. J. SHUBERT was in Cincinnati last week arranging schedules for legitimate plays to be shown there.

•

VICTOR FORD COLLINS, attorney for HAL ROACH, left for California yesterday after a 10-day stay here.

•

HERMAN WOBBER, general sales manager of 20th Century-Fox, returned Saturday from Chicago.

•

CASEY EDINGER, owner of the Zaza, Denver, has fully recovered from a recent heart attack.

•

STEVE FITZGIBBON, manager of Movietone studio, was in Boston over the weekend.

•

LEE PATRICK will come to New York from the Warner studio late this week.

•

EUGENE SOLOW, writer at the Hal Roach studios, has left for the Coast.

•

H. J. YATES returned to New York by plane Saturday from the Coast.

Weeks on Tour

George W. Weeks, general sales manager of Monogram, left Saturday on a three weeks' trip to set dates for "Mutiny in the Big House."

Beefsteak

Picture Pioneers Will Dine on Friday

The Fall Conference of Beefsteak of Picture Pioneers, organization of industry veterans of 25 years or more, will be held at Colbert's next Friday.

Arrangements and entertainment for the affair were completed by the executive committee over the weekend. Committee members are Jack Cohn, Marvin Schenck, Joe Hornstein, Harry Buxbaum, Terry Ramsaye and Hal Hode.

The committee accepted eight membership applications. They were from J. A. McConville, Leo K. Justin, C. S. Goetz, Oscar C. Binder, Peter Siebel, Eugene Meyers, Harry F. Karasik and J. H. Hoffberg.

Para. Sets $75,000 Campaign on 2 Films

A $75,000 advertising campaign in papers, key city newspapers, national and fan magazines has been mapped by Paramount for "Disputed Passage" and "Rulers of the Sea" this month and next, Robert M. Gillham, Paramount advertising and publicity director, reported on Saturday.

The campaign is designed to reach more than 22,000,000 people. It will be opened with a full-page, four-color ad in the *American Weekly* on Oct. 22, coinciding with the world premiere of "Disputed Passage" in Detroit, Oct. 19. The ad will appear in 23 key city newspapers with a commined circulation of more than 7,000,000 and will be augmented by extensive local cooperative newspaper ads throughout the country on the picture's opening dates in various cities.

The campaign on "Rulers of the Sea" will break on Nov. 18 with full page color ads in *Colliers, Liberty* and *Saturday Evening Post* and will be followed by a similar ad in *Life* on Nov. 20. In addition, 11 fan publications will be used.

Club Sponsors Fund

CINCINNATI, Oct. 15.—The Cinema Club of Cincinnati, a recently formed organization of film and other salesmen serving the industry, is organizing a welfare fund for use of its members. Rudy Knopfle, Republic salesman, is president.

Small Adds 'Hollow'

Edward Small announces the addition of Washington Irving's "Legend of Sleepy Hollow" to his list of productions to be made in the immediate future and to be released by United Artists.

Frederic Wagner Dies

CHICAGO, Oct. 15.—Funeral services were held here yesterday for Frederic B. Wagner, 47, head booker at the 20th Century-Fox exchange here for the past 11 years. He died Thursday night after a lingering illness.

Hoffberg Gets Shorts

J. H. Hoffberg has acquired distribution rights to "Mountain Barriers," "Men of the Alps" and "Four Barriers," short subjects.

Short Wave Film News Wins Favor

(Continued from page 1)

the air" type, chatty, informative and sprinkled with light humor. Included are a general roundup of production news, profiles and biographical sketches of stars and other personalities, information regarding the construction of sets and studio research, interviews and the like.

Foreign publicity departments submit the material to Kenneth Clark, Hays office publicity director, who selects it on the basis of suitability and prepares the script. Since the networks make no charge for the time, they are privileged to edit or add material of their own. The networks make the translations.

Supplementary material is provided for European and South American listeners on personalities and in pictures in which they are particularly interested, and where possible the news is slanted for local interest.

Additional air time is given for recorded interviews in various languages, which have been made by Bob Hope, Joan Bennett, Susan Hayward, William Holden, Leo Carrillo and Rouben Mamoulian. Indirect stress is put on pictures playing or soon to be released in the overseas market.

There is no film company or Hays office label on the programs. CBS calls its series "CBS Brings You Hollywood." The NBC introduction is "Highlights from Hollywood Studios," and this network sometimes broadens the program to include news of the drama and literary fields.

The CBS schedule is: English, Monday, 2:45 to 3 P. M.; French, Tuesday, 2:45 to 3; Spanish, Tuesday, 8:15 to 8:30; German, Wednesday, 2:45 to 3; Italian, Thursday, 2:45 to 3; Portuguese, Thursday, 7:45 to 8.

NBC has two weekly programs in Portuguese, aimed at Latin America. The schedule is: English, Sunday, 12:30 to 12:45 P. M.; Italian, Tuesday, 2:45 to 3; German, Tuesday, 3:45 to 4; French, Tuesday, 4:45 to 5; Spanish, Friday, 7:30 to 7:45; Portuguese, Tuesday and Friday, 8:30 to 8:45.

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HOLLYWOOD CAVALCADE

BEATS EVERY 20TH CENTURY-FOX HIT INCLUDING ALEXANDER'S RAGTIME BAND!

This is the news from the Malco Theatre, Memphis. 300 other theatres are now playing HOLLYWOOD CAVALCADE to smash business, with the latest S. R. O. reports coming from New York's Roxy!

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Nathanson Urges Local Conciliation

(Continued from page 1)

production of pictures of the type that bring people into the theatres.

"If you make it more difficult for the first runs, it will be reflected throughout the industry. You cannot operate theatres at 15 cents admission and give away prizes and hope to maintain the industry's prosperity or dignity."

The war has not been a great deterrent to theatre business in Canada. Grosses were off a few months before the outbreak of war, but are improving. Nathanson is optimistic about the future, but whether the increase in employment due to the war will help theatres remains to be seen. If there is a long war, the industry will suffer through severe taxes and otherwise, Nathanson believes.

Regarding war measures, there is no restriction on the sending of remittances out of Canada, to the United States or elsewhere, but permission must be obtained. Censorship is severe for films, radio and the press. No pictures such as "All Quiet on the Western Front" are permitted, and newsreels are scrutinized carefully.

Radio censorship has affected commentators broadcasting on the war from stations in the United States. Hitler's speeches and all other German broadcasts are banned.

Nathanson is a member of the Dominion radio governing board and a leader in national affairs. He said the film industry has taken a prominent place with the Government in providing shows at military camps and barracks.

Famous Players Canadian has no plans to acquire or build theatres, at least for the duration of the war. "We are keeping what we have," said Nathanson. "There is no great building activity in Canada now." The circuit has more than 200 houses and is the leading theatre organization in the Dominion.

The Nova Scotia restrictive law aimed at film distributors, chiefly affiliates of Famous Players Canadian, were never promulgated. Nathanson said that a proposed conciliation board is designed to solve the problems which gave rise to the legislation.

Meeting at Syracuse Of Showmen Tuesday

New York independent exhibitors will convene in Syracuse tomorrow for a meeting called by E. Thornton Kelly. The avowed purpose of the meeting is to "sift facts" concerning the controversy between Max A. Cohen, president of New York Allied, and Kelly.

An attempt also will be made to determine the meeting's consensus as to whether a state exhibitors' organization shall be formed in affiliation with national Allied. The present state unit is functioning independently.

Sidney Samuelson, Lee Newbury, Frank Lydon and Arthur Howard, National Allied leaders, are scheduled to attend. Cohen has advised members of the state unit by letter that this is not a meeting of New York Allied.

Theatre, Personnel Notes

Form Charlotte Company

CHARLOTTE, N. C., Oct. 15.—Robeson Enterprises, Inc., which will operate "one or more picture theatres in North Carolina," is announced by Dr. R. S. Beam of Lumberton, N. C. Other stockholders include Dr. and Mrs. E L. Bowman. The new concern will operate the Carolina theatre at Lumberton, now operated by the Anderson Theatre Co.

Rename Manhattan House

Kaufman Amusement Corp. will reopen the 600-seat theatre on E. Houston St., Manhattan, as the Sunshine. The house, formerly named the Chopin, was operated by the Paogulseif Corp. Joseph Kaufman is president of the company and Jack Kaufman vice-president.

Mayfair Changes Hands

Mayfair Enterprises has acquired the Mayfair, 1500-seat theatre in West New York, N. J., from the Cocalis Circuit. Al and Irving Margolies head Mayfair Enterprises.

Majors, 306 Ready For Neutral Arbiter

(Continued from page 1)

representatives indicated they are not opposed to the application. No names of candidates were submitted, the appointment being entirely up to Justice Crane.

The application is pursuant to the basic agreement which provides for such action if opposing sides in the negotiations are unable to agree on the neutral arbitrator. The circuits have designated C. C. Moskowitz of Loew's and L. E. Thompson of RKO as their board members. The union will be represented by Joseph D. Basson, president, and Bert Popkin, a former business agent. Popkin has been designated in the place of Herman Gelber, recording secretary, who previously was named by Local 306.

Counsel representing the circuits at Friday's conference were Judge Joseph M. Proskauer and B. A. Zorn for Loew's and other exhibitors; Irving Greenfield, Loew's; Arthur Israel, Paramount, and Monroe Goldwater, RKO.

Local 306 was represented by its counsel, Judge Matthew M. Levy, and Benjamin Mandelker of his office. Basson and Popkin were also present.

Debate Film Censorship

Relation of the war to film, radio, press and book censorship was discussed at a conference at the Biltmore Hotel Saturday sponsored by the American Civil Liberties Union and 16 other organizations. Contrasts were drawn between comparative freedom from censorship here and the war censorship in Europe. Speakers were Arthur DeBra of the Hays office; Frank S. Nugent, New York *Times* film critic; Elmer Rice, B. W. Huebsch, Sidney Kaye, Morris L. Ernst and Elmer Davis. Quincy Howe was chairman.

Ford Sterling Dies

HOLLYWOOD, Oct. 15.—Ford Sterling, 55, one of filmdom's earliest comedians, died here Friday night. He had been in a hospital for 18 months.

RCA Deals Closed

Following theatres have closed with RCA for the installation of Photophone sound equipment: Broad's, St. Mary's, Ohio; new theatre at Pana, Ill.; Lyric, Harrison, Ark.; new house at Winter Park, Fla.; Rivoli, Altoona, Pa., and the Cameo at Waterbury, Conn.

Building at Troy, N. C.

CHARLOTTE, N. C., Oct. 15.—G. L. Faw, who operates a theatre at Biscoe, is building a new theatre at Troy, N. C., which he will operate.

Brandt Opens Pix About Nov. 10

Lou Brandt will open the new Pix on 42d St. between 6th Ave. and Broadway about Nov. 10. The house will seat about 875.

RKO Short Brings Out Theatre Men

RKO Pathe's third "Information Please" short was filmed at the Movietone Studios Friday afternoon before an audience of exhibitors and film men, their relatives and friends.

Laughter and other audience reaction was recorded on the sound track of the film as shooting progressed under direction of Frank Donovan, producer. The cast of the unrehearsed subject had Clarence Buddington Kelland, novelist, as guest performer, with the regular board of guessers, Franklin P. Adams, John Kieran and Oscar Levant, and Clifton Fadiman as the usual master of ceremonies.

Exhibitors spotted in the audience were Laurence Bolognino, Irving Dollinger, Arthur Mayer, Abraham Leff, Charles Moss, Milton Schwartz and Myron Seiger. There were also Frederic Ullman, head of Pathe News, and, from RKO, Harry Michalson, E. L. McEvoy, Rutgers Neilson and H. M. Richey.

Licensing Division Is Set Up by Metro

A licensing and royalty department has been set up by M-G-M to license manufacturers of novelties and exploiters of characters in "The Wizard of Oz" and "Gone With the Wind." Other pictures will be handled in this manner where feasible.

This is a new departure for M-G-M. The department is under the supervision of Howard Dietz, advertising and publicity director, and William R. Ferguson, exploitation manager, with Eddie Carrier of Ferguson's staff handling detail.

MPTO Meet Oct. 27

SEATTLE, Oct. 15.—The M. P. T. O. of Washington will hold its annual convention here on Oct. 27, at the New Washington Hotel. It will be a one-day affair. L. O. Lukan, president, will preside, and arrangments are being made by James M. Hone, executive secretary.

Drop "Movie Quiz" Suit

Stipulation discontinuing the plagiarism suit brought by Edward J. Pfeiffer in connection with the "Movie Quiz" contest, against Edward Churchill and Donahue & Coe, Inc., the agency, has been filed in the N. Y. Supreme Court.

Seattle Gives Good $7,200 To 'Thunder'

SEATTLE, Oct. 15.—"Thunder Afloat" and "Stronger Than Desire" scored a strong $7,200 at the Orpheum. It is the only bill to gross better than average. "Espionage Agent" drew $5,000 at the Palomar.

Estimated takings for the week ending Oct. 14:

"The Women" (M-G-M)
FIFTH AVENUE—(2,500) (25c-40c-55c) 7 days, 2nd week. Gross: $6,800. (Average, $7,000)

"Those High Grey Walls" (Col.)
"This Man Is News" (Para.)
LIBERTY—(1,800) (25c-40c-55c) 6 days. Gross: $3,200. (Average, $5,000)

"HoneyMoon in Bali" (Para.)
MUSIC BOX—(950) (25c-40c-55c) 7 days, 2nd week. Gross: $3,600. (Average, $4,000)

"Thunder Afloat" (M-G-M)
"Stronger Than Desire" (M-G-M)
ORPHEUM — (2,450) (25c-40c) 7 days. Gross: $7,200. (Average, $6,000)

"Espionage Agent" (W. B.)
PALOMAR—(1,500) (20c-25c-40c) 7 days. Vaudeville headed by Ulis & Clark. Gross: $5,000. (Average, $5,000)

"Nurse Edith Cavell" (RKO)
"Everybody's Hobby" (W. B.)
PARAMOUNT—(3,050) (25c-40c) 7 days. Gross: $5,300. (Average, $6,000)

"Dust Be My Destiny" (W. B.)
ROOSEVELT—(750) (25c-40c) 7 days, 2nd week. Gross: $3,000. (Average, $3,500)

Picture Engineers Open Parley Today

(Continued from page 1)

eon at 12:30 P. M., Mayor F. H. LaGuardia will make an address of welcome, with Bruce Barton and W. G. Van Schmus, managing director of the Music Hall, as guests of honor. At 2 P. M. a general session will be held with six papers to be read. During the evening, delegates will view four special demonstrations arranged for them at the World's Fair.

Tomorrow a laboratory session will be held at 10 A. M. with a report of the laboratory practice committee and three papers read. The afternoon has been left free for visits to the Fair. At 8 P. M. the delegates will reassemble at the auditorium of Engineering Societies Building for a joint meeting with the N. Y. Electrical Society.

Loew's Talent Quest

Loew's metropolitan circuit is inaugurating a "Starmaker Talent Quest" with cash prizes of $550. Preliminaries will be held in nearly all theatres, with three winners to be chosen at each house to appear in semi-finals at the Paradise, Pitkin and Valencia. Finals will be held at Loew's State Nov. 6 with grand prizes of $100, $50 and $25 to be awarded. Non-professionals not younger than 16 years are eligible.

John Minhinnick Dies

TORONTO, Oct. 15.—John R. Minhinnick, veteran showman, died here after an illness of months, following a lifetime in the theatre business, most recently as a manager of Famous Players Canadian Corp.

Virginia Peine Signed

Virginia Peine has been signed to an agency contract by Herman Bernie, Inc. Bernie, who was New York manager for Myron Selznick, recently opened his own talent agency.

GREATEST OF ALL

IN the fifty years since Eastman supplied the film for the world's first movies, there have been many great Kodak emulsions designed especially for the motion picture industry. . . . Greatest of all are Eastman Plus-X, Super-XX, and Background-X . . . today's ruling favorites in the studio and on location. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work

Orange County Suit Dismissed; Fight on Costs

(Continued from page 1)

against Orange County Theatres and is "hostile" to its case.

Miller said the theatre company, in a separate action pending in N. Y. Supreme court, charges Friedman with embezzlement and the former officer has brought counter actions against the company.

Louis Phillips, counsel for Paramount and the theatre defendants, challenged this explanation. He told the court that the real reasons for the plaintiffs' unwillingness to go to trial rested in matters which had been developed by defendants' attorneys in examinations of the plaintiffs before trial. Phillips offered to divulge these developments, but the court declined to permit this on the grounds that the case was to be dismissed and not tried.

Judge Clancy was told that the plaintiffs had first offered to settle the case last Wednesday, but the defendants, confident that there had been no conspiracy, refused. The plaintiffs next informed defendants that they would ask for dismissal of the case without costs and were told that defendants would insist upon a trial unless costs were borne by the Orange County Theatres. Thereupon, plaintiffs offered to pay $1,000 costs and this, too, was refused. Defendants estimated allowable costs at about $3,000.

Judge Clancy, although ordering the plaintiffs to pay the costs, refused defendants' request to set the amount in his discretion. Costs may either be settled by an agreement or an accounting, it was indicated.

The Orange County case was begun in July, 1937. The principal allegation was that Paramount, 20th Century-Fox, United Artists, Universal and RKO conspired with George Walsh, Eugene Levy and Netco Theatres Corp. to deprive the Academy, Newburgh, N. Y., of a sufficient amount of second and third run product for its operation. The action sought triple damages of $225,000.

John Caskey of Dwight, Harris, Koegle & Caskey represented 20th-Fox and Joseph J. Lee; Louis Nizer represented Universal; Paul O'Brien, United Artists, and Granville Whittlesey, Jr., RKO.

Week's Museum Program

Museum of Modern Art in presenting its Cycle of Seventy Films has set the following program for the week: today, "The Great Train Robbery," "The Last Card" and "The Covered Wagon"; Tuesday, "Robin Hood"; Wednesday, "The Outlaw and His Wife" and "The Story of Gosta Berling"; Thursday, films by Louis Lumiere, "The Runaway Horse," "Fantomas" and "The Crazy Ray"; Friday, "Hamlet" and "The Last Laugh," and on Saturday, "Greed."

Company Changes Name

ALBANY, Oct. 15.—Change of name from the Official Motion Picture Producers, Inc., New York, to Official Films, Inc., has been filed here. Standard Pictures Distributing Co., Inc., New York, has been formed by George E. Trainer, Marilyn Kaplan and Sylvia Dauber.

Hollywood Review

"The Roaring Twenties"

(Warners)

HOLLYWOOD, Oct. 15.—"The Roaring Twenties" is Warners' picturization of the last decade, during which those defying the 18th Amendment and the Volstead Act created a phenomenon in corruption and gang warfare, in seeking their illegal profits. Told in a part narration-part drama style, the film is a stirring panorama of gangdom, and is spiced with the nostalgic music of the time.

James Cagney and Priscilla Lane are given the starring roles, and are supported by an outstanding cast, consisting of Humphrey Bogart, Gladys George, Jeffrey Lynn, Frank McHugh, Paul Kelly, Elizabeth Risdon, Ed Keane, Joe Sawyer, Joseph Crehan, George Meeker, John Hamilton, Robert Elliott, Eddie Chandler, Max Wagner and Vera Lewis.

Mark Hellinger, chronicler of Broadway during those hectic years, wrote the original story, and declares in a foreword on the screen that the characters are composites of actual persons and that the events portrayed are real happenings. Jerry Wald, Richard Macaulay and Robert Rosson turned out an outstanding screenplay, its grimness and tenseness leavened with comedy.

Raoul Walsh directed with a firm hand, keeping all of the situations well in hand and obtaining the most out of the cast. Samuel Bischoff was Hal B. Wallis' associate producer.

Cagney, Lynn and Bogart are soldiers in France. Upon their return they find Prohibition in effect. Lynn sets up his law office, Cagney goes from driving a cab to selling liquor to speakeasies. Lynn falls in love with Miss Lane, whom Cagney hopes to marry, and Gladys George, a night club entertainer-owner, falls in love with Cagney. Bogart buys out Cagney's interest in their illegal business after Cagney loses all his money in the 1929 crash. When Lynn and Miss Lane, who have become married, are menaced by Bogart, Cagney kills him and is killed himself.

Running time, 104 minutes. "G." VANCE KING

**"G" denotes general classification.*

Trust Trial Before March Is Doubtful

(Continued from page 1)

preference two months ago, Williams asked for Nov. 1 as a trial date.

The present position of the case on the court calendar indicates that it will be reached in regular order next February or March.

Principal reason for the delay in the start of trial of the case is the serving of complex interrogatories on the defendants by the Department of Justice last month.

Coast ITO Names Full Trustee Board

LOS ANGELES, Oct. 15.—Rotus Harvey, president, I.T.O. of Northern California, and Ben Levin have been appointed to represent their organizations on the newly-formed Pacific Coast Conference of Independent Theatre Owners.

Trustees will meet Wednesday to formulate policies of the new organization which was formed by the I.T.O. of Northern California, I.T.O. of Southern California and M.P.T.O.A. of Pacific Northwest.

The board of trustees is now completed. Other members are L. O. Lukan and William Ripley of Pacific Northwest and Jack Y. Berman and Hugh W. Bruen of the Southland group. Robert H. Poole is temporary executive secretary of the Conference.

Nate Leipzig Dead

Death Friday claimed Nate Leipzig, master of sleight of hand and mystifier of kings and queens and vaudeville audiences. He died here at the age of 66. Funeral services were held yesterday.

Canned Music Tax Imposed in Mexico

Mexico City, Oct. 15.—In order to enforce the employment of musicians in cinemas, theatres and other amusement places that feature music, the Tamaulipas state government has decreed a monthly tax of $30 per each canned music apparatus in its principal cities, Tampico, Nuevo Laredo and Matamoros, the latter two on the American border, and of $20 each for such apparatus in other communities.

Ed Grainger Meets With Ohio Managers

E. C. Grainger, general manager of the Shea circuit, returned to New York Friday following a meeting with Ohio managers. The following were present: E. J. Heihle, Weller Theatre, Zanesville; W. O. James, Paramount Theatre, Fremont; Joseph Scanlon, Ohio and State, Bellevue, and Clyde Theatre, Clyde; Thomas Alfred and H. E. Snyder of the Lyric Theatre, Lancaster; Duke Prince, Ohio Theatre, Marietta; William Gillam, Union Opera House, New Philadelphia, and Chester E. Huprich and Paul Weltin of the Dover Theatres. Grainger left again Friday night for the New England theatres.

Lamour, Power Teamed

HOLLYWOOD, Oct. 15.—Dorothy Lamour has been loaned by Paramount to 20th Century-Fox to co-star with Tyrone Power in "Johnny Apollo."

Revised Sales Policies Hailed By Kuykendall

(Continued from page 1)

exhibitor's option to cancel pictures," Kuykendall says, "it will permanently solve the block booking problem for the small exhibitor. The large exhibitor has no serious problem on block booking."

Kuykendall also observes that, as a result of the trade practice negotiations, "the separate score charge seems to be on the way out with all companies." He points out that "this does not mean that distributors will necessarily reduce their prices by the amount of the score charge, but at least the prices quoted will be in one amount."

Further trade practice concessions he classifies as primarily being in the form of "promises." In this category he lists forcing of shorts, newsreels and trailers with features, final allocation of prices as pictures become available, keeping regular customers, no exclusive runs, substituting pictures on designated play dates and selling less than a full block to theatres that are booked up.

While policy on these matters, he says, is "less definite," it represents a "softening up of general sales policies growing out of a better appreciation of exhibitor problems as an indirect result of our trade practice complaints and negotiations." Its effectiveness, Kuykendall says, "depends entirely upon the judgment, intelligence and good faith of the distributors' field representatives."

Kuykendall cites four "main and really important" trade practice problems. They are: Block booking, overbuying to deprive a competitor of product, unreasonable clearance and cut-throat competition between theatres. He believes the first to be on its way toward solution through cancellation rights. The others, he suggests, might be treated by mediation.

He criticizes the defunct industry code for ignoring these and their treatment, pointing out that while they were not touched upon problems of lesser import received unlimited attention.

He commends those distributors who have offered individual trade practice concessions and urges those who have not to act promptly.

The bulletin predicts a "frank discussion of industry affairs," including the current emergency due to the war, at the M.P.T.O.A. annual board of directors' meeting at the Greenbrier Hotel, White Sulphur Springs, West Virginia, next Monday and Tuesday.

Buffalo Opens Drive On Theatre Games

(Continued from page 1)

Appeals affirming the conviction of three men in the operation of a theatre game in Brooklyn.

"Facts in this case are the same as in local theatres and halls conducting games," said Lieut. Griffis. "In each of these games may be found violations of the law."

Lieut. Griffis said he will take immediate action in obtaining evidence and arrests will be made where violations are found.

CBC Is Ruled Private Firm; Can Be Sued

TORONTO, Oct. 15.—The Ontario Court of Appeal has ruled that the Canadian Broadcasting Corp. can be sued for wrongful act or on contract as a private company, reversing the decision of Justice Jeffrey in the lower court, who held that the CBC could not be made a defendant in a civil action because it emanated from the Crown, meaning that because it was a Government-directed body it was beyond the scope of civil law.

The case arose through the action of Gooderham & Worts, Ltd., formerly operating Station CKGW, Toronto, against the CBC for specific performance of a lease of the station property dated May 15, 1933, and damages of $250,000 for conversion of property of the lessor to its own use.

Justice McTague, in the written decision of the higher court, declared that the CBC as a corporation could enter into contracts in any part of the world "and from that I think that it is a reasonable inference that it can be sued in any forum." He stated that it seemed absurd that wage earners, musical artists and other performers could not exercise the right of suit against the company. Regarding denial of the right to sue, he declared: "Parliament would be taking away with one hand what it gives with the other."

'Along the Mohawk' On Kate Smith Hour

Twenty-five minutes of the Kate Smith show over CBS Friday, Nov. 3, will be devoted to a dramatization of 20th Century-Fox's "Drums Along the Mohawk." Miss Smith will travel to Hollywood and the program will emanate from the Columbia Square Playhouse there.

Honor Eddie Cantor

Downtown Brooklyn Association will tender a luncheon to Eddie Cantor Thursday at the Hotel Bossert on the occasion of his opening a one week personal appearance engagement at Loew's Metropolitan. The luncheon will be preceded by a parade to Borough Hall where Cantor will be greeted by Borough President Raymond Ingersoll.

Toronto Keeps Armistice

TORONTO, Oct. 15.—Doubt concerning the formal observance of Armistice Day, Nov. 11, has been cleared up by Mayor Day of Toronto who said that the anniversary will be a public holiday as usual. All government offices, many stores, banks and stock exchanges will be closed, but the theatres will remain open.

WKRC Staff to Stay

CINCINNATI, Oct. 15.—When the Cincinnati *Times-Star* takes over WKRC, now a CBS-owned station, upon confirmation of sale by the F.C.C., there will be no change in the operating personnel, declared Hulbert Taft, Jr., recently appointed manager of the station. Taft's father is publisher of the *Times-Star*.

Public Forces BBC to Put Brighter Programs on Air

War Restrictions Eased; Propaganda Small; No Television

LONDON, Oct. 15.—Under the pressure of public opinion, press campaigning and questions in Parliament, the British Broadcasting Corp., exclusive English radio body, now announce that they intend to run brighter programs for the home radio listener.

The brighter BBC movement comes into operation this month.

Since the outbreak of war the numerous BBC services have been concentrated into one—the BBC "Home Service," operating upon a wavelength originally used by the North Regional transmitter, obliterating the National, London Regional, Midland, Western, Northern, Welsh, Northern Ireland and Scottish Regional transmissions. The Scottish Regional wavelength is also used to transmit the BBC programs to far Northern audiences.

Entertainers in Hiding

Immediately after the outbreak of war a reorganization plan, long scheduled, was put into operation and the BBC's entertainment headquarters moved to a secret location far away in the English countryside. There, numerous artists, performers, musicians, producers, organists, engineers and the like, placed under contract for the duration of war, are billeted and are responsible for the programs given every day.

News and information broadcasts, which come through the Ministry of Information, are given from London. Despite beliefs to the contrary, BBC's programs have not been diverted into exclusively propaganda channels. The amount of propaganda is infinitesimal and takes the form of official announcements, Government bulletins and a few "free hand" talks on matters of national interest.

More News Bulletins

A day's program includes—seldom for more than half an hour at a time—dance band broadcasts, symphony concerts, organ recitals, parlor games, variety shows, plays, chamber music, sports talks, religious services and a rather inordinate amount of gramophone recitals. Broadcasting now starts at 7 A. M. instead of 10:30 A. M. as previously, and goes on until midnight. Many more news bulletins are included than heretofore.

The BBC now promise lighter Sunday programs, sports commentaries and outside broadcasts.

Television Abandoned

Television was abandoned immediately upon the outbreak of war and Alexandra Palace, television broadcasting section, was closed down completely. No official reason was given for this. It is stated, however, that an explanation can be found in the fact that television signals are so individual and identifiable that they could be used by enemy aircraft or warships in the form of a direction finder.

To meet the needs of the service in wartime, certain modifications have been made, after consultation with the board of governors of the BBC, in the control of the corporation.

Sir Allan Powell, chairman, and C. H. G. Millis, vice-chairman, now constitute the board of governors.

The appointment of the other members of the board has been terminated by Order in Council.

Apart from this change, the BBC charter remains in full force.

The BBC license and agreement with the Postmaster General has been modified. Certain powers vested in the Postmaster General have been transferred to the Minister of Information. Main powers thus transferred relate to program matters, hours of working and the possible control of the service in emergency.

In addition, the BBC is subject to the same censorship requirements of the Ministry as apply to the press.

There Is Light

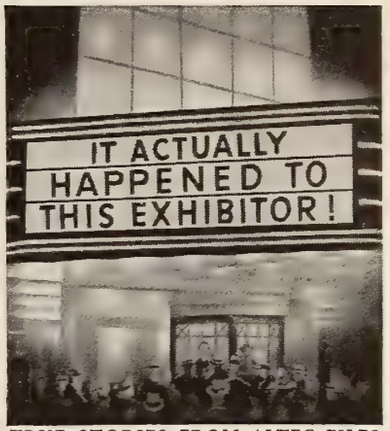
After weeks of blackouts in London, Irving Asher, British producer here from London, is finding it difficult to accustom himself to New York's bright lights at night. He has been wearing dark glasses to make the transition easier on the eyes.

Toscanini's Concert Brings Out Notables

Premiere of this season's programs of the NBC symphony orchestra under the direction of Arturo Toscanini Saturday night was accompanied by the customary turnout of eminent figures in theatrical, social, musical, advertising and business fields.

Approximately 1,300 persons filled Studio 8-H. A partial list of those present included David Sarnoff, R. C. A. president; Lenox R. Lohr, NBC president; W. G. Van Schmus, managing director of Radio City Music Hall; William S. Knudsen, General Motors president; Don Francisco, Lord & Thomas president; Thomas L. Smith, General Foods president; Chester M. Colbb, Standard Brands president; Mrs. Joseph P. Kennedy, wife of the ambassador to Great Britain; Gaetano Vecchiotti, Italian ambassador.

Others were Carlos Martin Pereira e Souza, Brazilian ambassador; Dr. Diogenes Escalante, Venezuelan ambassador; Commissioner Paul Moss; Comptroller Joseph D. McGoldrick; Justice Bernard L. Shientag; Justice Joseph M. Proskauer; Henry Morgenthau, Sr.; Bishop Spellman; Fritz Kreisler; S. N. Behrman; George Backer, publisher of the N. Y. *Post*; Alfred Wallenstein, conductor; George Tormey, Blackett-Sample-Hummert president; William Randolph Hearst, Jr.; Mr. and Mrs. Vladimir Horowitz, daughter and son-in-law of Toscanini; Mrs. Blanche Witherspoon; Lotte Lehmann; Marcia Davenport; Admiral Luke McNamee; Emma Eames; Walter Toscanini, the conductor's son; Col. William A. Donovan; Count and Countess Castelmoro-Tedesco; Ramon Novarro; Charles G. Norris and Kathleen Norris.



TRUE STORIES FROM ALTEC FILES

Exhibitors Praise Altec Technique to Improve Sound



LEBANON, N. H.—"I not only have to sell my shows to my patrons, but also sell them on my theatre. Since I installed your new high quality response sound we all feel that we have the finest sound in this section." Vincent J. Mollica, manager, Lebanon Opera House.



CHATTANOOGA, TENN.—"Judging from your new modifications in the American Theatre, we have great expectations for our other theatres, and request the earliest possible application to the rest of our circuit." Abe Solomon, Independent Theatres, Inc.



SAN FRANCISCO, CAL.—"If the improvement had cost three times what you charged, the improvement would still have been more than worth it." J. J. Franklin, Strand Theatre.



NEW ORLEANS, LA.—"The improvements made by Altec have resulted not only in an increase of power which is more than ample, but also in a remarkable clarity of reproduction." C. J. Chandler, Roxy Amusement Co.

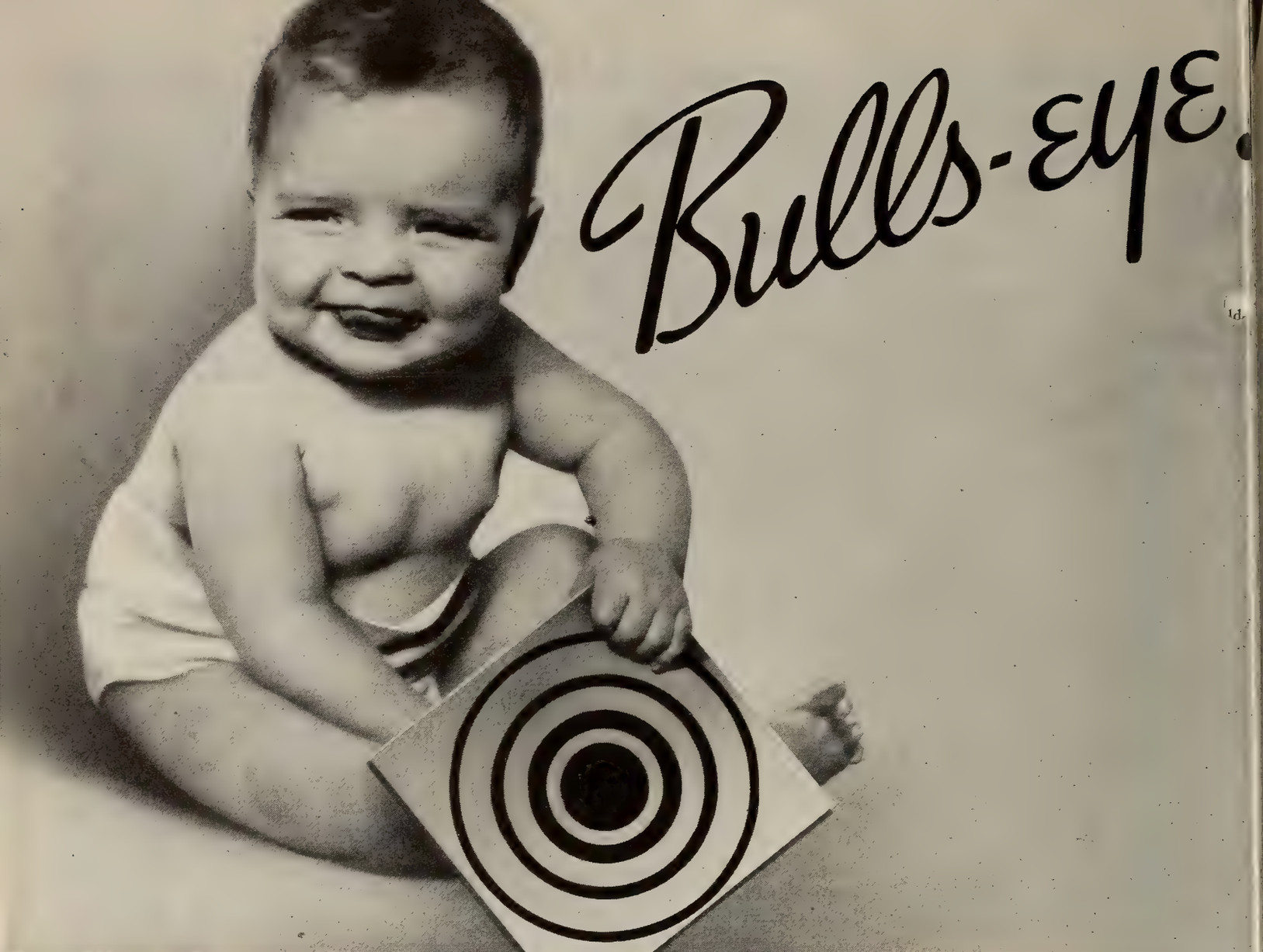
. . .

Let the Altec man in your locality explain to you, without obligation, how the Altec technique for sound betterment can improve the sound in *your* theatre.

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For Attention-Value!

For Selling-Punch!

For Dependability!

For Low Costs!

For Ticket-Selling!

NATIONAL SCREEN Special Announcement Trailers, too, hit the Bulls-Eye . . . for Quality . . . for selling-value and for Service. Cost so little and sell so much!

For rapid-fire, quick-action, forceful, dramatic all-round "come-hither" theatre advertising

NATIONAL SCREEN TRAILERS hit the bulls-eye every time . . .

Reaching a 100% customer-audience at every performance . . .

Cheapest . . . most effective . . . most consistent advertising you can buy!

NATIONAL *Screen* SERVICE

PRIZE BABY OF THE INDUSTRY

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 75 NEW YORK, TUESDAY, OCTOBER 17, 1939 TEN CENTS

Move Studios To New York, Urges Mayor

Lauds City's Advantages to Picture Engineers

"I would like to see the motion picture industry return to New York, where it started," Mayor F. H. LaGuardia told 250 delegates to the Socity of Motion Picture Engineers and their wives at the get-together luncheon on the opening day of the Fall convention at the Hotel Pennsylvania yesterday.

"Most of the shooting is indoors," LaGuardia stated, "but if it's location scenes you want, we have the sea, lakes and mountains, too. If it's city scenes you want, we have a city here, you know. This is the art center of the world, the best composers and musicians, casts and mechanics can be found here. We have the greatest libraries and museums here, too. Some of the slips might not occur if research were conducted here.

"How about the cost?" the Mayor asked. "I don't think New York production would cost you less. You would pay decent wages as you do on the Coast. We have taxes here but there are some on the Coast. Rents are high, but you get value."

Concluding, the Mayor pointed out that the industry went West in search of locations and weather and urged it to return as factors in the East compared favorably with the Coast. He praised the contribution of films to modern culture and declared that he and his wife were steady patrons. Poli-

(*Continued on page* 8)

Business Outlook Good—Silverstone

Optimism over the business outlook for United Artists was voiced by Murray Silverstone, chief executive of the company, following his return to New York from a two weeks Coast visit.

Silverstone stated that with good product completed and ready for release, the company's principal need at this time is not for further emergency retrenchments but for increased effort on the part of all members of the company in the marketing of the new pictures.

While on the Coast, Silverstone conferred with United Artists producers and looked over the forthcoming product, which includes Hal Roach's "Of Mice and Men," Samuel Gold-

(*Continued on page* 11)

Hans Vogt Winner of Long Court Fight Over Sound Patent

WASHINGTON, Oct. 16.—A long standing controversy over the ownership of patents on sound reproducing apparatus has been settled by the Federal District court here in a decision ordering the Commissioner of Patents to issue a patent to Hans Vogt, assignor to American Tri-Ergon Corp. The patent involved is supposed to relate to the photo-electric cell.

Vogt, a German, and two other Germans developed the invention and assigned it to Tri-Ergon, and application for a patent was filed in April, 1921. In May, 1921, an application for a patent on similar apparatus was filed by Albert A. Radtke. Interference proceedings before the patent office were brought in another similar invention which, however, was held not to involve a sufficient disclosure.

The court held that the Vogt patent took priority and that there had been sufficient disclosure of the invention to merit granting a patent.

Industry patent attorneys declined yesterday to comment on the significance of the Washington decision on the Hans Vogt-Tri-Ergon patent. They gave the impression, however, that the decision did not end the protracted litigation involving the patent, thus suggesting the possibility of further appeal.

American Tri-Ergon was controlled

(*Continued on page* 11)

Films to Entertain War-Duty Troops

London, Oct. 16.—The Entertainments National Service Association, official British Government body responsible for the entertainment of England's armed forces, will ship two mobile projector units to France tomorrow. Each unit will be accompanied by a full technical service staff.

Films for Television Must Have SAG Cast

Screen Actors Guild yesterday told NBC television officials that any films produced specially for television purposes would have to be made with an S.A.G. cast. NBC was planning to shoot several scenes to be used in connection with a play, "The Milky Way," which will be televised Friday night.

Last week, NBC was forced to cancel a telecast of "Very Warm for May" because Actors Equity ruled that members of the cast, now in rehearsal, would have to receive one week's pay for the program.

NBC has not used its own films for telecasting with the exception of several newsreel-type shots for "Tele-Topics" and once for part of a Sherlock Holmes play. The latter occurred more than a year ago.

No agreement was reached yesterday and NBC is uncertain whether it

(*Continued on page* 11)

Broadway Season Starts; Studios Eye Plays, Stars

By SAM SHAIN

The New York stage has in preparation several productions that promise to attract Hollywood attention.

With the opening of "Skylark," the new Gertrude Lawrence play, Broadway's theatre season took a lively jump. The show was well received by critics, although some expressed the wish that Playwright Samson Raphaelson had given her a more sturdy foundation with his play. The consensus was that Miss Lawrence is more than able to keep the play at the proper entertainment heights.

This week, three of the season's most amusing new productions will be ushered in. Last night it was the new George S. Kaufman-Moss Hart comedy, "The Man Who Came to Dinner." This is the show that has been referred to as the Alexander Woollcott show because it is presumably written about that character.

Tonight Helen Hayes arrives with her new vehicle. It is "Ladies and Gentlemen" by Ben Hecht and Charles MacArthur. This time Miss Hayes' leading man is Philip Merivale. Tomorrow night George Abbott will present the new Rogers and Hart musical, "Too Many Girls." The book is by George Marion, Jr., of Hollywood.

William Saroyan's play, "The Time of Your Life," will open on Oct. 23 at the Booth with Eddie Dowling and the Theatre Guild as co-sponsors, and with Dowling and Julie Haydon in the leading roles. Next week also Claire Booth's new show about the murder of a German consul, "Margin for Error," will make its appearance.

In the Saroyan play there probably

(*Continued on page* 8)

'Frozen' Cash Threat Brings U.S. Proposal

Britain to Get American Distributors' Plans

LONDON, Oct. 16.—American film distribution interests here plan to offer concrete proposals to the British Government, presumably designed to counteract the Government's declared intention to retain 80 per cent of the normal remittances usually exported by American distributors.

Estimates had indicated that approximately $24,000,000 annually would be frozen in this country.

It is understood the proposals of the American interests will be presented to the British Government in the near future. The plan was developed following the meeting of American distributor representatives with officials of the British Board of Trade, at which the British intention to impose remittance restrictions was outlined to the Americans.

There had been some indication that the remittaance limitation might be slightly modified relative to contracts concluded before the start of the war.

The advisory committee representing managers of film and legitimate theatres in the West End of London met today for the first time. It was decided to approach the Home Office on Thursday with a request that theatres in that area of London be permitted to remain open until 11 P.M.

Walker Will Keep Hal Roach Posts

Thomas Walker, vice-president, director and Eastern representative of Hal Roach Prod., will continue in those posts, it was stated officially here yesterday.

Earlier reports had Frank Seltzer, publicity representative for the Roach organization, being transferred from the Coast to New York, presumably as Eastern representative. Seltzer, however, will remain on the coast.

Ampa to Hear Steel on War Propaganda

Johannes Steel, news commentator on WMCA, will discuss propaganda in the current war at the Ampa luncheon meeting at 12:45 P.M. Thursday at Stouffer's restaurant, Fifth Ave. and 44th St. Steel will describe how European governments seek to influence their nations and the people of the world in behalf of their policies.

Majors Find Film Buying Deals Strong

Major companies report a spurt in film buying in the last couple of weeks. Situations which have been slow in negotiating are now being cleaned up, with a number of circuit deals closed within the last week by all companies.

At 20th Century-Fox, it was said that the general pickup in sales last week resulted in a volume increase of about 20 per cent over the weekly average since the start of the selling season last summer.

Herman Wobber, general sales manager, approved about 10 New York circuit deals last week. In Chicago, Essaness and Great States, contracts were approved.

Harry H. Buxbaum, New York branch head, last week closed with the following circuits: Seider, Cocalis, Century, Walter Reade, Consolidated, Bell, Snaper and RKO outlying theatres.

John Stahl Leaves 'U' in Story Dispute

HOLLYWOOD, Oct. 16.—John M. Stahl today obtained release from his producer-director contract at Universal, and will go with Mrs. Stahl to New York for a vacation. The contract had until Dec. 1 to run.

Stahl's dissatisfaction with the story material for his next picture is reported as having caused the break. Stahl has been with Universal for the past two years.

BUSINESS MEN!
WANT MORE TIME AT HOME?



Fly TWA! Make Your Longest Trip Home in a Few Hours!

LOS ANGELES or SAN FRANCISCO —Overnight via TWA's Skysleeper! Leave at 5:30 p.m.—fly the fastest route to the Coast—arrive in either city after breakfast.....$149.95

KANSAS CITY—New Daily afternoon service — Leave at 1:00 p.m. — arrive in Kansas City at 8:15 p.m.....$66.45

CHICAGO—4 hrs. 35 min.! New Daily "Commuter Air Service" to Chicago—8 flights a day.....$44.95

TWA IS THE ONLY AIRLINE THAT FLIES DIRECT TO BOTH FAIRS VIA GRAND CANYON and BOULDER DAM!

10% Discount on Round Trips!

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Phone Travel Agent or MU 6-1640
Transcontinental & Western Air, Inc.
70 E. 42nd St.—Air Desk, Penn. Station

TWA

SHORTEST, FASTEST COAST-TO-COAST

Purely Personal

JAMES R. GRAINGER, Republic president, left last night for Pittsburgh to close circuit deals. He returns tomorrow.

•

HERMAN ROBBINS, TOBY GRUEN, CHARLES CASANAVE, EDWARD A. GRAINGER, JOSEPH BERNHARD, RUSSELL HOLMAN, M. A. SCHLESINGER, SI FABIAN, HARRY BRANDT, CHARLES E. MCCARTHY, LOU DIAMOND, SIDNEY PHILLIPS, ED SAUNDERS and MAX GORDON at Nick's Hunting Room in the Astor for lunch yesterday.

•

HERBERT BERG of Paramount's publicity staff left last night with LEW NATHAN for the world premiere of "Disputed Passage" in Detroit Thursday. They return Saturday.

•

S. C. CAMPBELL, technical director and Canadian veteran of the World War, has arrived in Toronto from California and has offered his services to the Dominion Government.

•

ANN RUTHERFORD, M-G-M player, will make a series of personal appearances at Loew's theatres in Washington, Baltimore, Richmond and Norfolk.

•

CHESTER MORRIS will make a barnstorming tour of Loew's Theatres in Brooklyn and Jersey tomorrow and Thursday.

•

DR. A. H. GIANNINI and family are expected in New York from the Coast today for a brief vacation.

•

BRUCE CABOT left for the Coast yesterday following a two-week visit here after returning from England.

•

EDMOND O'BRIEN arrived in New York from the RKO studio on Sunday by plane.

•

ELIZABETH PATTERSON, Paramount player, arrived from the Coast yesterday.

•

CHARLES SCHWARTZ and LOUIS BARBANO at Lindy's for lunch yesterday.

•

NICHOLAS SCHENCK leaves the Coast within the week for New York.

•

EARLE W. HAMMONS to Washington today on business.

Picture Associates At Luncheon Today

Industry leaders have been invited to attend a regular luncheon meeting of the Motion Picture Associates today at the Hotel Astor. Emil K. Ellis, attorney, is scheduled to speak on trade relations. Harry Hershfield and Ben Blue will provide the entertainment.

Jack Ellis, president, will report on progress made by the committee for the organization's annual dinner and dance Nov. 25, proceeds of which will be used for charitable activities.

Johnson in City

Nunnally Johnson, who recently finished the screen play of John Steinbeck's best seller, "Grapes of Wrath," for 20th Century-Fox, is in New York for a six months' leave of absence. He will devote his time to writing two Broadway stage plays.

WALTER GOULD, United Artists division manager for Latin-America, arrived in New York aboard the *Argentina* yesterday from a 10-week visit to the company's exchanges in Argentina and Brazil.

•

WILLIAM F. RODGERS, general sales manager of M-G-M, plans to leave for Chicago on business late this week and may attend the M. P. T. O. A. board meeting at White Sulphur Springs, W. Va., next Monday and Tuesday.

•

WALTER BRANSON, Midwestern district manager for RKO, has returned to his Chicago headquarters. T. R. THOMPSON, Kansas City branch manager, has also returned. Both were here on circuit deals.

•

MANNY REINER, exploitation director for Monogram, returned yesterday from a 10-day trip to Reading, Wilkes-Barre and Scranton where he handled the campaign for "Mutiny in the Big House."

•

MRS. DON WIDLUND, wife of the Jam Handy special representative, enters the Medical Arts Center Hospital today for an operation.

•

VIRGINIA STURM, former film editor of the Dayton *Daily News*, has been visiting here on a Publishers Syndicate assignment.

•

JOSEPH M. SCHENCK, board chairman of 20th Century-Fox, plans to leave for the Coast next weekend.

•

HARVEY PERGAMENT, general manager of National Pictures, has been confined to his home by illness.

Roxy Appeals Ruling On Tax Assessments

Roxy Theatre, Inc., petitioned the N. Y. Supreme Court yesterday to order a reduction of $950,000 on the assessed valuation of the Roxy Theatre in a writ of certiorari filed against the City Tax Commission. The Commission was directed by Justice Julius Miller to respond to the writ on Nov. 6.

The petition, which stated that the theatre building was assessed at $2,550,000 and the land at $1,550,000 for 1939-40, claimed that assessments should not exceed more than $3,125,000. In eleven years, the petition asserted, assessments had risen over a half million dollars in spite of a gradual depreciation in actual value of the theatre. Commissioner Hubert T. Delaney on May 4, 1939, denied an appeal for a reduction after a hearing held then.

Sol Wurtzel Here

Due to arrive today for a two weeks vacation are Sol Wurtzel, executive producer at Twentieth Century-Fox, and Mrs. Wurtzel. Just before leaving Hollywood Wurtzel finished "20,000 Men a Year."

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LaHIFF'S TAVERN
The Industry's
MEETING and EATING PLACE
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21 Cities Hold Gold Jubilee Celebrations

Celebrations in observance of the 50th anniversary of the motion picture were held in 21 cities during the past week, according to reports received yesterday by the anniversary committee of which Kenneth Cl[illegible] of the M.P.P.D.A. is chairman.

San Francisco's Golden Jubilee motion picture week was observed from Oct. 8 to 15 by proclamation of Mayor Rossi. Local newspapers pointed up California's contribution to Edison's kinetoscope in the photographing of horses in action at Leland Stanford's stock farm at Palo Atlo, in 1872. The pictures were made with a battery of cameras with automatic shutter controls and it was claimed for them that they were "the first pictures ever made of objects in rapid motion and were valuable to Edison's work."

The Golden Jubilee also shared the spotlight at the Cotton States Exposition at Greenville, S. C., last week under arrangements made by Carter Barron of Loew's. Ann Rutherford appeared.

Other cities which gave special observance to the anniversary include Chicago, Baltimore, Pittsburgh, Harrisburg, Los Angeles, Cleveland, Columbus, Milwaukee, Dallas, El Paso, Tacoma, Buffalo, Rochester, Houghton, Ft. Wayne, Elkhart, Cleveland, Columbus and Zanesville, each with a local angle on film history.

Selznick-Benchley Deal

HOLLYWOOD, Oct. 16.—Selznick International today confirmed the Robert Benchley deal under which the comedian will make six shorts under Selznick. The release deal has not been set yet. Three of the shorts are to be made here and three in the East.

New Cameo Policy

Cameo Theatre, which has been the local show window for Russian films since 1934, is now filling in with domestic and other foreign films. The Cameo plans to continue playing Russian pictures, although Amkino has made no arrangements for a first-run outlet for its product for the new season.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

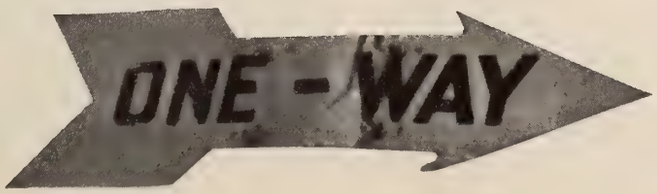
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TODAY!

Special M-G-M Flash!

TOPNOTCHKA! From every trade preview of GARBO in "NINOTCHKA" have come report-cards filled in by exhibitors that confirm the industry's advance enthusiasm. If you were unable to attend, you will benefit by the advice of those who saw this extraordinary entertainment: "Topnotchka Entertainment." "It's terrific. Be sure to tell them there's a new, laughing Garbo." "Enjoyed every minute of this great Lubitsch comedy." "Swell comedy-romance that should be sold far in advance so they know what a grand picture is coming." "Word of mouth will make it S.R.O." "Welcome relief after heavier Garbo roles, she is screen's new comedienne in smash hit!"

BOX-OFFICE BABES! As we go to press "BABES in ARMS" proves beyond doubt that it will take its place among the biggest grossers of all time. Dallas, Philadelphia, Los Angeles, Cincinnati, Houston have each revealed in sensational record-breaking results the unique entertainment qualities of this MICKEY ROONEY-JUDY GARLAND musical comedy, with stars of stage and screen delivering a rousing show. M-G-M's trade previews gave hundreds of exhibitors first-hand realization of why booking time must be doubled. Publication of glowing reports following the press showing intensified the demand for extension of playing time. Seldom has a picture been launched with hold-overs pre-arranged so extensively.



M-G-M

Mexico Plans To Drop Film Exports Tax

MEXICO CITY, Oct. 16.—Mexican producers are expecting an important financial lift soon as the government is considering abolition of the 12 per cent tax on exports, a measure that has been in effect for about two years. The government thinks that increased exports will more than compensate for the removal of this levy.

Forced exhibition of made-in-Mexico films on the basis of one a month for the circuit cinemas and one every two months for first-run houses, is provided by a municipal law that has gone into effect.

Cinemas continued to lead in public amusement favor here last year. The municipal report shows that the 60 theatres that were operating continuously in 1938 had 27,409,367 ticket sales for $3,225,000. The local public paid $4,250,000 for entertainment. The nine stage theatres operating last year sold only 1,942,165 tickets for $425,000.

Sites for two large, modern cinemas have been purchased in choice local sections by the company that Emilio Azcarraga heads. It owns and operates the Cine Teatro Alameda. Work on the new cinemas is expected to start before Jan. 1. They are to form a circuit with the Alameda.

The war notwithstanding, consignments of German-made picture material, including cameras and film, continue to arrive in Mexico. Over what routes this material travels to Mexico is a mystery.

The 27 short wave stations in Germany, data about them and times of broadcasting, are being extensively advertised in local newspapers.

Though Japan's efforts to introduce general entertainment pictures in Mexico have apparently failed, the Japanese legation is busy with free exhibition, before businessmen's clubs, of films showing what Nippon is doing industrially. These pictures have made a big impression. Japan has launched a drive to capture Mexican business now that the war has shut off important supplies for this country from Europe.

Two Americans, E. W. Branch and C. M. Bres, have involved radio station XEMU of 250 watts at Piedras Negras, Coahuila state, opposite Eagle Pass, Tex., in litigation that promises to be long and sensational. The Americans demand control of the station, claiming that they represent 85 per cent of the enterprise's stock and asserting that they are dissatisfied with conduct of the station.

William Mohr Dies

William R. Mohr, 46, head of the security and bonding department for Actors Equity for the past 14 years, died suddenly Friday at his home in Chatpaqua, N. Y. He is survived by his mother, Mrs. William Mohr.

Hollywood Reviews

"Meet Doctor Christian"

(RKO)

HOLLYWOOD, Oct. 16.—Sure-fire Jean Hersholt here transfers from loudspeaker to screen the character of Dr. Christian, small town medico, with rather more profit than loss. The film, first of three which William Stephens and Howard Lang are to produce for RKO distribution, is plain, practical and predicated, quite properly, on the popularity of the principal performer and his indestructibly established characterization. It's a sound beginning—not too polished to be matched by films to follow, but powerful enough in the dramatic pinches to stir deep emotions—for what seems quite likely to become an extremely popular series.

Harvey Gates' story and the screenplay by himself, Ian McLellan Hunter and Ring Lardner, Jr., are based directly and solidly on the key character. So is Bernard Verhaus' direction devoted steadily to its development. Naturally, this is at passing cost to performances by Dorothy Lovett, Robert Baldwin, Enid Bennett, Paul Harvey, Marcia Mae Jones, Jackie Moran, Patsy Lee Parsons and other supporting players, but the net result justifies this.

Produced by William Stephens, Monroe Shaff acting as associate, the film deals matter-of-factly with life in the small community of River's End, makes it seem wholly human and credible. The good Dr. Christian's initial problem consists of obtaining the mayor's cooperation in bringing about construction of a hospital for the town.

Running time, 63 minutes. "G."* ROSCOE WILLIAMS

"Law of the Pampas"

(Paramount-Sherman)

HOLLYWOOD, Oct. 16.—Harry Sherman gives this Hopalong Cassidy film the best production quality, the widest appeal and the smoothest story of any of the series starring Bill Boyd. "Law of the Pampas" sends "Cassidy" and his pal, "Lucky," played by Russell Hayden, to the South American pampas to deliver a herd of cattle, and there they solve several murder mysteries.

Boyd, in one of his better acting efforts, and Harlan are supported by Sidney Toler, Steffi Duna, Sidney Blackmer, Pedro de Cordoba, William Duncan, Anna Demetrio, Eddie Dean, Glenn Strange, Jo Jo La Savio, and "The King's Men."

Harrison Jacobs wrote the screenplay with a fine hand from the characters created by Clarence E. Mulford. Nate Watt directed.

Boyd and Hayden escort a herd of cattle to the South American ranch of de Cordoba, whose son and daughter have been killed some time ago under mysterious circumstances. Through a series of incidents, they uncover the killer.

Running time, 72 minutes. "G."* VANCE KING

**"G" denotes general classification.*

Independent Studios Face IA Wage Action

HOLLYWOOD, Oct. 16.—Frank Stickling, international representative of I.A.T.S.E., today filed on behalf of 11 studio locals a petition asking the National Labor Relations Board to declare Alliance units as bargaining agents for their classifications in all independent studios. This is preparatory to seeking new agreements which will make official the 10 per cent wage raise already granted by the major studios.

Frisco Fair Gaining

SAN FRANCISCO, Oct. 16.—With closing date near, Oct. 30, attendance at the San Francisco Fair shows a fast uptrend, with Bing Crosby Day breaking all previous records, the crooner's appearance attracting a record throng of 187,730.

Rogers' Father Dies

OLATHE, Kan., Oct. 16.—Judge Bert Rogers, 62, father of Charles (Buddy) Rogers, screen actor and bandleader, died at his home here yesterday. The bandleader and his wife, Mary Pickford, were at the bedside.

'Bali' Providence Winner at $9,000

PROVIDENCE, Oct. 16.—The Strand, with "Honeymoon in Bali" and "Behind Prison Gates," took $9,000 to lead the town in what otherwise was a very quiet week.

Estimated takings for the week ending Oct. 10-12:

"Honeymoon in Bali" (Para.)
"Behind Prison Gates" (Col.)
STRAND — (2,100) (25c-35c-50c) 7 days. Gross: $9,000. (Average, $6,000)
"The Under-Pup" (Univ.)
"Full Confession" (RKO)
RKO-ALBEE—(2,239) (25c-35c-50c) 7 days. Gross: $5,500. (Average, $6,000)
"Intermezzo" (U. A.)
"Conspiracy" (RKO)
LOEW'S STATE—(3,230) (25c-35c-50c) 7 days. Gross: $10,500. (Average, $11,000)
"Espionage Agent" (W. B.)
"Forgotten Woman" (Univ.)
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $6,000. (Average, $7,000)
"The Escape" (20th-Fox)
FAY'S—(1,800) (25c-35c-40c) 7 days. Hoot Gibson in person and vaudeville. Gross: $5,800. (Average, $6,500)
"Dancing Co-Ed" (M-G-M)
"Career" (RKO)
CARLTON—(1,526) (25c-35c-50c) 7 days, 2nd week. Gross: $3,000. (Average, $3,500)
"These Glamour Girls" (M-G-M (3 days)
"Our Leading Citizen" (Para. (3 days)
"In Name Only" (RKO) (4 days)
"Angels Wash Their Faces" (W. B.) (4 days)
EMPIRE—(2,200) (20c-30c) 2nd run. Gross: $1,700. (Average, $1,800)

'Thunder' Is Boston Best, Hits $33,000

BOSTON, Oct. 16.—"Thunder Afloat," with "Fast and Furious" at Loew's State and Orpheum, drew total of $33,000, or $14,000 and $19,000 respectively. "Fifth Avenue Girl" and "Full Confession" took $14,500 in the second week at the Keith Memorial.

Estimated takings for the week ending Oct. 11:

"Behind Prison Gates" (Col.) (3 days with vaude.)
"Sky Patrol" (Mono.) (3 days with vaude.)
"Irish Luck" (Mono.) (4 days) (1st run)
"Mr. Moto Takes a Vacation" (20th-Fox) (4 days) (2nd run)
RKO KEITH BOSTON—(3,200) (20c-30c-40c) Gross: $8,200. (Average, $7,000)
"Fifth Avenue Girl" (RKO)
"Full Confession" (RKO)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $14,500. (Average, $14,500)
"What a Life" (Para.)
"Television Spy" (Para.)
PARAMOUNT — (1,797) (25c-35c-40c-55c) 7 days. Gross: $9,000. (Average, $7,000)
"What a Life" (Para.)
"Television Spy" (Para.)
FENWAY—(1,382) (25c-35c-40c-55c) 7 days. Gross: $6,000. (Average, $4,500)
"The Rains Came" (20th-Fox)
"Stop, Look and Love" (20th-Fox)
METROPOLITAN—(4,332) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $14,000. (Average, $14,500)
"Thunder Afloat" (M-G-M)
"Fast and Furious" (M-G-M)
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 7 days. Gross: $19,000. (Average, $14,500)
"Thunder Afloat" (M-G-M)
"Fast and Furious" (M-G-M)
LOEW'S STATE—(3,000) (25c-35c-40c-55c) 7 days. Gross: $14,000. (Average, $11,000)
"Espionage Agent" (W. B.)
"$1,000 a Touchdown" (Para.)
SCOLLAY—(1,500) (25c-35c-40c-50c) 7 days. Both 2nd run. Gross: $5,000. (Average, $4,000)

Film Men Questioned In St. Louis Libel Suit

ST. LOUIS, Oct. 16.—Depositions of Chris Zotos, owner of the Roosevelt here, and Nat E. Steinberg, president of Republic Pictures Corp. of St. Louis, have been taken in connection with the $200,000 libel suit brought by Frankie Baker against Republic, Republic Pictures Corp. of St. Louis, Republic Mid-West Film Distributors, Inc., Chester Erskine, Jack Kirkland, the estate of Lilyan Tashman, Chester Morris and Helen Morgan.

The plaintiff, who alleges that she is the original "Frankie" of the "Frankie and Johnny" ballad, declares that she was libeled in the Republic film based on the song.

Breaks for 'Torpedoed'

"Torpedoed," a Herbert Wilcox production, distributed here by Film Alliance of the U.S., received nationwide publicity breaks over the weekend as a result of the sequence which shows *H.M.S. Royal Oak* torpedoed by a submarine. The film, made with the cooperation of British Admiralty, showed the *Royal Oak* as a rebel battleship being blown up.

Autry to Texas Fete

Gene Autry, Republic western star, will be a feature at the 30th anniversary celebration of the Robb & Rowley circuit at Big Springs, Tex., Friday and Saturday. Autry will fly to Texas on Thursday, after appearing on Fred Allen's broadcast tomorrow night.

MOST SENSATIONAL FEATURE PICTURE SCOOP OF THE YEAR!

BIGGEST NEWS PUBLICITY SMASH FOR A PICTURE IN YEARS!!! ACTUAL SCREEN SHOTS FROM "TORPEDOED!" RUSHED BY ASSOCIATED PRESS TO LEADING PAPERS IN EVERY CITY! SMASH SPACE IN N. Y. DAILY NEWS, TIME MAGAZINE AND TOP PAPERS FROM COAST TO COAST!!!

ACTUAL SHOTS

Through ironic coincidence, British Admiralty loaned H.M.S. ROYAL OAK for the filming of the sensational naval thrill drama "TORPEDOED!"

ROYAL OAK TORPEDOED!

See the terrific battle scenes in which this giant ship goes into action and is

TORPEDOED

before your eyes! This monster battleship blown to bits! It happened in the headlines yesterday. See this amazing film!

FILM ALLIANCE
of the United States presents
"TORPEDOED!"
with
H. B. WARNER
RICHARD CROMWELL
ROBERT DOUGLASS
NOAH BEERY
•
Produced with the cooperation of the British Admiralty
•
A HERBERT WILCOX production

BOOK IT TO-DAY!

THROUGH ANY EXCHANGE OF THE

FILM ALLIANCE of the United States, Inc.

1270 SIXTH AVENUE, NEW YORK

Buffalo Trade Favors Drive Upon Games

BUFFALO, Oct. 16.—Police today were told by local exhibitors, following announcement Saturday that "immediate action" was to be taken against operators of Bank Night, and other cash games, that strict enforcement of the law will be welcomed.

Most of them expressed approval of a drive against the games. While exhibitors maintain they are operating their games within the law, many expressed a desire to rid themselves of the practice because "it has been burdensome and a nuisance."

It is the contention of Police Commissioner Glenn H. McClellan and Lieut. William R. Griffis, head of the police anti-gambling squad, that operation of theatre games takes the form of a lottery and is in direct violation of the law.

Vincent R. McFaul, general manager of Shea Theatres, said the circuit has never favored operation of Bank Night or other names, but added them to regular programs in neighborhood houses because competitors were doing it.

"We would be glad to discontinue our Ten-O-Win nights if others abandon theirs," he said. The same sentiment was echoed by other showmen.

St. Louis Operator Fight Still Unsettled

ST. LOUIS, Oct. 16.—The dispute between the local operators' union, Local 143, and the St. Louis Amusement Co., whose string of neighborhood theatres are operated by Fanchon & Marco, is in the third week with little to indicate an immediate settlement.

None of the eight theatres has closed, and F. & M. officials declare the picketing has had little effect on attendance.

The dispute grew out of a demand by the union that the company bargain with it for all operators. Robert A. Roessell, union attorney, has contended the company has employed operators in the houses affected who are henchmen of John P. Nick, ousted boss of the union, and has separate agreements with these operators in violation of a union contract. The company calls it an inter-union fight.

Probe Providence Panic in Theatre

PROVIDENCE, Oct. 16.—Police and the Municipal building inspector today launched separate investigations into conditions at the Empire theatre, leading second-run house in the downtown section, where a panic resulting from an erroneous shout of "fire" late yesterday, injured 26 persons, one critically.

The panic started when a fight occurred among patrons on the first balcony. A large number of children in the second balcony, mistaking the shouts of "fight" for "fire," stampeded the balcony entrance, causing a jam.

Police held eight young men in connection with the fight for questioning.

The Empire is operated by Associated Theatres, Antonio A. Romano, district manager.

Hollywood In Brief

HOLLYWOOD, Oct. 16.—Preparations for M-G-M's "Good News" are being rushed, following the reception of MICKEY ROONEY and JUDY GARLAND in "Babes in Arms." The juvenile duo will again be directed by BUSBY BERKELEY, and ARTHUR FREED, who produced "Babes," will produce "Good News."

The early career of Disraeli will be portrayed by LAURENCE OLIVIER, borrowed from SAMUEL GOLDWYN, in Warners' "Disraeli." GERALDINE FITZGERALD will appear opposite him. MICHAEL HOGAN is doing the screenplay.

PROSPERITY NOTE: Warners is spending a total of $60,000 for the explosives in the night battle sequences of "The Fighting 69th."

BEN JUDELL of Producers Pictures Corp. has assigned WILLIAM A. ULLMAN, JR., to do the screenplay for "Gold Star Mothers," which is slated for Nov. 11 release. . . . BURT KELLY'S next production at Universal will be NATHANIEL HAWTHORNE'S "The House of Seven Gables." . . . MELVYN DOUGLAS gets a new contract at M-G-M.

Paramount has set PATRICIA MORISON and ROBERT PRESTON as its new starring team and they get top roles in "Moon Over Burma," from the WILSON COLLISON novel. . . . The WEAVER BROTHERS and ELVIRY have a new contract from Republic, calling for three pictures annually for two years.

ANN SHERIDAN'S next role will be in support of GEORGE RAFT and JOHN GARFIELD in Warners' "And It All Came True," based on the LOUIS BROMFIELD best seller. . . . "Tugboat Annie Sails Again" is the title of the first in Warners' "Tugboat Annie" series based on the NORMAN REILLY RAINE stories. . . . ANDY DEVINE joins JACK BENNY in Paramount's "Buck Benny Rides Again," which MARK SANDRICH will produce and direct.

JO ANN SAYERS has been borrowed from M-G-M to play opposite RUSSELL HAYDEN in "The Light of Western Stars," ZANE GREY special to be produced by HARRY SHERMAN for Paramount. LESLEY SELANDER will direct. . . . BARNEY BRISKIN, for three years production manager for Principal Pictures, has been made an associate producer by SOL LESSER.

J. D. TROP has obtained the film rights to the ELLERY QUEEN detective stories. . . . FRANK MORGAN will support MARGARET SULLAVAN and JIMMY STEWART in "The Shop Around the Corner," which ERNST LUBITSCH is directing at M-G-M. . . . RUSSELL SIMPSON joins the cast of "Grapes of Wrath," at 20th Century-Fox.

George Glass has moved up to vice-presidency of Russell Birdwell and Associates.

"Klondyke," story of Alaskan gold rush days, is being prepared at Warners for WAYNE MORRIS and HUMPHREY BOGART, whose support includes DENNIS MORGAN and LYA LYS. VINCENT SHERMAN will direct. . . . EDWARD GROSS is in New York to negotiate for the purchase of a Broadway production. . . . PAUL MALVERN of Monogram is on a belated vacation.

BORIS MORROS has taken an option on "The Hero," play by MELCHIOR LENGYEL, as a possibility for his next release for RKO. BRIAN DONLEVY may draw the lead.

BEN JUDELL and Producers Distributing Corp. plan a celebration at the opening of the company's new studio in Prescott, Ariz., next month when Gov. R. T. Jones and other Arizona officials will be guests.

Metro today purchased "Escape," the novel by Ethel Vance, for early production. It is the story of a German actress imprisoned by the Gestapo upon her return to Germany for allegedly spreading anti-Nazi propaganda.

RKO today signed Joel McCrea to appear opposite Ginger Rogers in "Primrose Path."

David O. Selznick today sold the film rights to the recently completed play, "Waterloo Bridge," to Metro and under the deal lent Vivien Leigh to star in the film. Sidney Franklin will produce at Metro.

Union Chief on Trial In $10,000 Extortion

ST. LOUIS, Oct. 16.—John P. Nick, deposed head of the theatrical unions here, went on trial today in Circuit Court on a charge of extorting $10,000 from theatre owners here in 1936 to forestall a demand for wage increases by motion picture operators.

State Representative Edward M. Brady, jointly indicted with Nick, was granted a severance by Judge Aronson. Nick is still vice-president of the I.A.T.S.E.

Principal state witnesses include more than a dozen theatre owners here who, it is alleged, contributed to the $10,000 fund. The trial is expected to take a week.

League of Theatres Re-Elects All Officers

Officers of the League of New York Theatres were re-elected at yesterday's annual meeting. Marcus Heiman was renamed president.

Other officers are James F. Reilly, executive secretary; Lee Shubert and Brock Pemberton, vice-presidents; Gilbert Miller, treasurer, and Herman Shumlin, secretary.

Renamed to the board of governors were Max Gordon, Lawrence Langner, Rowland Stebbins, L. Laurence Weber, Dwight Deere Wiman, Martin Beck, Sam H. Harris, Lester Meyer and Harry G. Sommers.

Film for Prison Chiefs

Monogram's "Mutiny in the Big House" will be screened at the Hotel New Yorker today for 800 delegates attending the annual Congress of the American Prison Association.

37 New Films Are Shooting On the Coast

HOLLYWOOD, Oct. 16.—Thirty-seven pictures were before the cameras this week, as six started and ten finished. Twenty-two are being prepared, and 83 are being edited.

Started were: "Gun Lord of the Frontier," Columbia; "The Earl of Chicago," M-G-M; "Cowboys from Texas," Republic; "The Invisible Man Returns," "No Power on Earth," Universal; and "Granny Get Your Gun," Warners.

In addition to these, shooting were: "The Incredible Mr. Williams," "His Girl Friday," "Street of Missing Women," Columbia; "Raffles," Goldwyn; "Broadway Melody of 1940," "A Call on the President," "The Secret of Dr. Kildare," "Nick Carter," M-G-M; "Roll, Wagons, Roll," Monogram; "The Road to Singapore," "Opened by Mistake," Paramount; "Vigil in the Night," "That's Right, You're Wrong," "Sunset," "Mexican Spitfire," "Swiss Family Robinson," RKO; "Zorro's Fighting Legion," Republic; "Rebecca," Selznick International; "The Blue Bird," "The First Kiss," "Everything Happens at Night," "Little Old New York," "Grapes of Wrath," "He Married His Wife," 20th Century-Fox; "First Love," "Green Hell," "Destry Rides Again," Universal; "Send Another Coffin," Wanger; "The Fighting 69th," "Brother Rat and the Baby," "Timber," Warners.

Finished were: "Blondie Brings Up Baby," Columbia; "Gun Chores," Paramount; "Escape to Paradise," Principal; "Abe Lincoln in Illinois," "Legion of the Lawless," RKO; "Of Mice and Men," Roach; "Swanee River," "The Adventurer," 20th Century-Fox; "The Green Hornet," Universal; "Invisible Stripes," Warners.

M-G-M started two short subjects, and Columbia one. Four are being prepared, and 12 are in the cutting rooms.

CIO Drops Theatre Certification Fight

United Theatrical and Motion Picture Service Employes Union, Local 258, a C.I.O. affiliate, withdrew yesterday from a proposed certification election at the State Labor Relations Board for ushers, doormen and cashiers at the RKO houses in this city. Local 258 called a strike at a number of RKO houses several weeks ago, and filed a petition for certification as collective bargaining agency. The strike was discontinued after conferences with the S.L.R.B. At the offices of Local B-171, the new I.A.T.S.E. union, it was said that the I.A. has 90 per cent of the RKO ushers enrolled.

Dickinson Aids Premiere

DETROIT, Oct. 16.—Gov. Luren D. Dickinson of Michigan has indicated that he will serve as honorary chairman of the Detroit World Premiere Committee, sponsored by local business men on behalf of the premiere of Paramount's "Disputed Passage" at the Michigan here on Oct. 19.



WITH the startling suddenness of a bursting bomb, came SOUND! The screen came to LIFE ... a new entertainment was born ... TALKING MOTION PICTURES!

Bell Telephone Laboratories and Western Electric gave the screen its voice in 1926. Then came ERPI, doing the vast job of replacing silence with sound in the studios and theatres of the world. From Iceland to New Zealand, from Manchoukuo to Chile, it furnished men and equipment to help the industry through the most sudden transformation modern business has ever known.

ERPI, in collaboration with Bell Telephone Laboratories, will provide leadership in bringing further vital scientific developments to the talking picture. Thus ERPI carries on the responsibility it accepted thirteen years ago, for only through continuous progress can the motion picture survive as a living force.

Electrical Research Products Inc.

SUBSIDIARY OF

Western Electric Company

Capra's Film Lures Trade, U.S. Notables

New York newspaper, syndicate, trade paper and national magazine representatives, numbering about 60, as well as a group of Columbia executives, leave by special train for Washington this morning for the world premiere tonight of Frank Capra's "Mr. Smith Goes to Washington" sponsored by the National Press Club at Constitution Hall.

The train will pick up other guests in Baltimore and Philadelphia, and will be joined in Washington by a group from Boston.

Columbia executives in the party include Harry Cohn, Jack Cohn, Abe Montague, Nate B. Spingold, Maurice A. Bergman, Leo Jaffe, Frank McGrann, Hortense Schorr, Leonard Gaynor, Hank Kaufman and Bernard Zeeman.

The party will hear part of the neutrality legislation debate in the Senate. A luncheon will be tendered Capra by the directors of the club, with addresses by Capra, W. G. Van Schmus, managing director of the Music Hall, and Arthur Hachten, president of the Press Club. An early dinner will precede the premiere.

Representatives of the press include:

From New York: Jack Alicoate, Chester Bahn, Howard Barnes, William Boehnel, Colvin Brown, Herbert Cohen, Eileen Creelman, Frank Farrell, Dale Harrison, Arthur James, Bland Johaneson, Maurice Kann, George Lait, Chick Lewis, Daniel D. Mich, Leo Mishkin, Lee Mortimer, Frank Nugent, Rose Pelswick, Martin Quigley, Martin Scofield Quigley, George Ross, Sam Shain, Frances Simon, H. Allen Smith, Frederick James Smith, Louis Sobol, Jack Stinnett, Irene Thirrer, Danton Walker, Tom Wenning, Archer Winsten, Joan Younger.

From Philadelphia: Bernard Bergman, Jay Emanuel, Jeff Keen, Henry Murdock. Samuel Schwab, Moe Wax.

From Baltimore: Norman Clark, Gilbert Kanouer.

From Boston: Marjory Adams, Joyce Dana, Peggy Doyle, Helen Eager, Prunella Hall, Charles Howard, Elinor Hughes, John Hutchens.

Official Washington will be represented by:

Secretary of State Cordell Hull; Postmaster General James A. Farley; U. S. Solicitor General Robert Jackson; Charles Edison, Acting Secretary of Navy; Jesse H. Jones, Chairman of R.F.C.; U. S. Supreme Court Justice Stanley F. Reed; Attorney General Frank Murphy; General Hugh Johnson; Ass't Secretary of Commerce John Monroe Johnson; Dr. S. L. Rowe, Director of Pan-American Union; District Commissioner Melvin C. Hazen; Colonel Edward A. Halsey, Secretary of the Senate; Colonel Ed Starling, Chief of White House Secret Service.

Daniel C. Roper, former Secretary of Commerce; Asst. Secretary of War Louis Johnson; Asst. Secretary of Interior Everett K. Burlew, Senators Alben W. Barkley, Arthur Capper, Hattie E. Caraway, Vic Donahey, William H. King, George W. Norris, Clyde M. Reed, Robert F. Wagner.

Members of House: Bruce Barton, Sol Bloom, Charles A. Buckley, Joseph W. Byrns, Jr., Frank Crowther, Martin Dies, Hamilton Fish, Joseph A. Gavagan, Louis Ludlow, Matthew J. Merritt, Mary T. Norton, Caroline O'Day, Leon Sacks, Christopher D. Sullivan.

Also present will be a number of exhibitors including:

From Baltimore: Frank Durkee, Durkee's Circuit; I. M. Rappaport, Hippodrome Theatre; J. Louis Rome, Rome Circuit. From Washington: John J. Payette, General Zone Manager, Warner Bros. Theatres; George A. Crouch, Asst. General Zone Manager, Warner Bros. Theatres; Charles Olive and Fred Kogod, Atlas and Princess Theatres; A. E. Lichtman, Lichtman Circuit; Louis Bernheimer, Bernheimer Theatres; Morton Thalhimer and Sam Bendheim of the Neighborhood Theatres, Richmond, Va.; Ben Pitts, Pitts Circuit, Fredericksburg, Va.; Louis Ribnitzki, Chief Booker Warner Bros. Theatres; J. Henry Hiser, Hiser, Bethesda, Md.; Herman Rubin, Century Theatre, Petersburg, Va.; William Wilder, Wilder Theatres, Norfolk, Va.; Leonard Gordon, Palace, Newport News, Va.; Mrs. Clara Wachter, Henry's Theatre, Hagerstown, Md.; Mrs. Grace Fisher, Maryland, Cumberland, Md.; Hunter Perry, Paramount, Charlottesville, Md.; Elmore D. Heins, Roanoke, Va.; Hazel Flynn, Music Hall.

At a luncheon at the Rainbow Room here yesterday for H. V. Kaltenborn, who appears in "Mr. Smith Goes to Washington," tendered by Columbia Pictures and CBS, the following were present:

Dr. Rowland Angell, NBC; Charles Butterfield, AP; Ben Bloom, Irving Berlin, Inc.; S. H. Bornstein, Berlin, Inc.; Richard Brooks, WNEW; Mr. and Mrs. George D. Carrington; Roy Chartier; Ted Collins; Alton Cook, *World Telegram;* George H. Coombes, WHN; Mr. and Mrs. Orin Dunlap, *Times;* Gus Eyssell, Music Hall; Hazel Flynn, Music Hall; Mr. and Mrs. Michael Foster, CBS; Ben Gross, *Daily News;* Arthur Hale, WOR; Mark Hawley, WOR; Guy Hickok, NBC; Raymond V. Ingersoll, Borough President, Brooklyn; Ward Jones, Music Hall.

Also, Nick Kenny, *Mirror;* John B. Kennedy, NBC; Edward Klauber, CBS; Dorothy Kilgallen; William Lewis, CBS; Sheila Lebhar; Frank Mason, NBC; Mary M. McBride; Brice Oliver, WEVD; Joseph Ranson, *Brooklyn Eagle;* Bruce Robinson; Louis Ruppel, CBS; M. H. Shapiro; Sam Shain, MOTION PICTURE DAILY; Frank Singiser, WOR; Sylvia Smith, *Newark Ledger;* Johannes Steele, WMCA; Raymond Gram Swing, WOR; Dixon Stewart, Trans-Radio; Frederic Ullman, Jr., RKO Pathe; W. G. Van Schmus, managing director, Music Hall; Ross Wuthering; Joan Younger, United Press.

Broadway Season Starts; Studios Eye Plays, Stars

(*Continued from page* 1)

is very little for the attention of the screen. Saroyan is a heady playwright, more erudite than Hollywood generally likes. The play, however, gives Julie Haydon another chance to prove that she is a fine young actress. Strangely, Hollywood has not been able to utilize her talent.

On the following week, that of Oct. 30, there will be two new entries on the Broadway scene. One is "Pastoral" by Victor Wolfson, and the other "Summer Night," which is co-authored by Benjamin Glazer and Vicki Baum.

Out-of-Town Openings

Already in rehearsal for out-of-town openings are "Sea Dogs," with an all-male cast and a freighter locale; "Nice Goin'," the Lawrence Schwab musical version of "Sailor Beware"; Clarence Day's dramatization of "Life With Father"; Max Gordon's production of the Oscar Hammerstein-Jerome Kern musical, "Very Warm for May"; "Tower of Light," by Robert Ardrey, which will be presented by the Group Theatre; Sidney Kingsley's dramatization of the novel, "The Outward Room," with Margo; "Morning's at Seven," Dwight Wiman's production of Paul Osborn's new play, and "Swinging the Dream," a modern version of Shakespeare's "Midsummer Night's Dream" with a cast that will include Benny Goodman.

Muni in Poetry Play

The Playwrights' Company, recovering from the inestimable loss of Sidney Howard, have engaged George M. Cohan for the leading role in Howard's last play, "Madame, Will You Walk?" They have also Maxwell Anderson's latest poetry play, "Key Largo," with Paul Muni.

Ethel Barrymore is about to take to the road for a short tour of "Farm of Three Echoes" in which she plays a 104-year-old character. This show will arrive on Broadway Nov. 27.

Another attraction which is under way is "Dubarry Was a Lady," a Buddy de Sylva-Herbert Fields musical with Ethel Merman and Bert Lahr.

Undoubtedly a number of these plays and musicals will find their way to the screen. Also, there will be a few players in them who will be taken westward for a try in Hollywood.

Miss Lawrence's play, thin though it might be, is the story of a young advertising executive more wedded to his business than to his wife, and might make workable Hollywood material.

No one is sure of the Hayes show. It probably is not itself worthy of serious Hollywood attention.

Diosa Costello Praised

The George Abbott musical, "Too Many Girls," has several possible screen people in its ranks. There is Diosa Costello, South American lass who has been helping to make the town rhumba-conscious by her antics at La Conga. She is a more interesting personality than Carmen Miranda. Her La Conga partner, young Deci Arnaz, might have the makings of a matinee idol. He has talent and is good looking. Also in this play are Marcy Wescott, Eddie Bracken and Mary Jane Walsh, all of whom the camera might fix upon.

"Margin for Error" has a cast of fine Broadway stature, several of whom have at one time or another appeared in films. They are Sam Levene, Bramwell Fletcher and Leif Ericson. Elspeth Eric, the only woman in the cast, played the Sylvia Sidney role in the stage production of "Dead End," but she has never faced a camera.

Lionel Stander and Louis Calhern have the leads in Vicki Baum's play, "Summer Night," along with Violet Heming. It is an elaborate production that sounds like screen material.

Chatterton Trouble

The Shuberts, it is reported, have been having temperament trouble with Ruth Chatterton. Unless the play and her performance are blended harmoniously there may be trouble bringing the play into town. It is now in Chicago, where it is reported doing well.

The cast of the musical version of "Sailor Beware"—"Nice Goin'"—has a bevy of Hollywood talent, including Mary Martin, Bert Wheeler, Lee Dixon, Pert Kelton and Gloria Blondell.

So all in all, perhaps, the theatre at this time of the year has been more affluent in the number of shows, but perhaps no richer in box-office promise. These advance observations on the present season contain higher values than for many a previous forecast.

Move Studios To New York, Urges Mayor

(*Continued from page* 1)

ticians have lost a major part of their influence to the screen and radio, he declared. "I am always annoyed by those who disparage the the movies," he said.

W. G. Van Schmus, managing director of the Music Hall, told of the horrors he undergoes when the sound goes dead with 6,000 patrons in the house. He paid tribute to the engineers who reduced such occurrences to a minimum.

Congressman Bruce Barton declared that films and the radio had vastly influenced modern advertising. Instead of relying on printed matter, emphasis is now placed on a picture and a caption, Barton said.

E. A. Williford, president, opened the convention with an address of welcome. At the elections, A. S. Dickinson, financial vice-president, and J. Frank, Jr., secretary, were reelected. D. E. Hyndman of Eastman Kodak was named engineering vice-president, and R. O. Strock of Eastern Service Studios was elected treasurer. A. C. Hardy, Herbert Griffin and Albert F. Goldsmith were elected to the board of governors.

In the evening, the delegates viewed several special demonstrations at the World's Fair. During the morning session, at which J. I. Crabtree presided, two papers were read. They were "Problem of Distortion in the Human Ear," by S. S. Stevens, of Harvard, and "High Speed Motion Pictures of the Human Vocal Cords," a demonstration by Crabtree and D. W. Farnsworth, of Bell Telephone Laboratories. F. Durst delivered the report of the Academy Research Council subcommittee on acoustical characteristics.

Four demonstrations featured the afternoon session, at which L. A. Jones presided—"Science and the Motion Picture," by H. Roger, of Rolab Photo-Science; "Backward Perspective—A Review in Retrospect of the Work of the Museum of Modern Art Film Library since 1936," by D. L. Baxter, of the Museum; "Photographic Duping of Variable-Area Sound," by F. W. Roberts and E. Taenzer, of Ace Film Laboratories; and "Volume Distortion," by S. L. Reiches. W. A. MacNair, of Bell Telephone Laboratories, read a paper on "Sound Equipment at the Bell Telephone Exhibit at the World's Fair.

This afternoon has been left free for the delegates to visit the Fair. In the morning there will be a laboratory and general session and in the evening, a joint meeting with the N. Y. Electrical Society.

Union Case to Court

N. Y. Supreme Court Justice McLaughlin yesterday set trial for Oct. 23 on the suit for an injunction and damages brought by Joseph Basson, as president of Local 306 of the Motion Pictures Operators Union, against Paradise Pictures Inc., owner of the Belmont Theatre in New York. Defendant is charged with refusing to employ members of Local 306 in violation of a contract allegedly made by it as an I.T.O.A. member with the union.

Frisco Gives 'Real Glory' Good $9,000

SAN FRANCISCO, Oct. 16.—"The Real Glory" drew $9,000 to lead the town comparatively. "The Women," in the second week at the Paramount, took $12,000. Other grosses were off. Estimated takings for the week ending Oct. 10-13:

"Full Confession" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: Vaudeville. Gross: $13,000. (Average, $15,000)
"All Quiet on the Western Front" (Univ.)
"Hero For A Day" (Univ.)
ORPHEUM — (2,440) (15c-35c-40c-55c) 7 days, 2nd week. Gross: $6,800. (Average, $8,000)
"The Rains Came" (20th-Fox)
ST. FRANCIS—(1,400) (15c-30c-35c-40c) 7 days, 4th week. Gross: $5,500. (Average, $6,000)
'Honeymoon in Bali" (Para.)
"Death of a Champion" (Para.)
FOX — (5,000) (15c-30c-35c-40c) 7 days. Gross: $13,500. (Average, $16,000)
"The Women" (M-G-M)
PARAMOUNT—(2,740) (15c-30c-35c-40c) 7 days, 2nd week. Gross: $12,000. (Average, $11,500)
"The Real Glory" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days, 2nd week. Gross: $9,000. (Average, $8,000)
"Dancing Co-Ed" (M-G-M)
"Streets of New York" (Mono.)
WARFIELD — (2,680) (15c-30c-35c-40c) 7 days. Gross: $10,500. (Average, $12,000)
"Naples, Kiss of Fire" (Paris Films)
CLAY—(400) (15c-35c-40c) 7 days. Gross: $1,200. (Average, $1,000)
"Double Crime in the Maginot Line" (Tower)
LARKIN—(390) (15c-35c-40c) 7 days, 2nd week. Gross: $800. (Average, $1,000)

New York Review

"The Affair Lafont"

(Transatlantic Films)

Program notes call the special attention of patrons and prospective patrons of "The Affair Lafont," originally known as "Conflict," to this as: "A daring theme . . . filmed as only the French would do it!" Perhaps so, but outside of the fact—and that is serious enough—of picturing a double-dealing method of hiding the illegitimacy of a child, there is nothing daring or risque in the film. In fact, quite the reverse is true.

It is a deadly serious, almost entirely unrelieved drama of the seduced young girl whose married sister poses as the mother of the child in order to save the victim disgrace and at the same time insure her own marital happiness, since her husband is about to divorce her because of her inability to have a child.

Then the young mother's indifference turns to love, she demands her child, and to prevent the husband learning the truth, the wife shoots her sister. Her arrest follows, the film actually opens with the shooting and arrest, and the young girl tells her story to save her sister imprisonment. The film, in flashback, recounts her story.

Corinne Luchaire, the young actress who stars, gives every indication of possessing superior qualifications as a dramatic actress. The picture, with English titles, is satisfactory for patrons of the "art" houses.

Running time, 84 minutes. "A."* CHARLES S. AARONSON.

**"A" denotes adult classification.*

Competition in Frisco

SAN FRANCISCO, Oct. 16.—Providing film theatres with their first stiff legitimate stage competition in years, "White Cargo" is now in its 10th week at the Alcazar Theatre here. More than 90,000 people have seen the show since its revival here, under production of Carroll Nason.

Demonstrate New Film

HOLLYWOOD, Oct. 16.—A demonstration of Paramount's utilization of the new Dupont fine grain film for release prints, dubbing prints and release negative, as used for "Geronimo," was held at the Erpi projection room before heads of major studio sound and laboratory departments.

Alexander Heads Ontario Exhibitors

TORONTO, Oct. 16.—Elevation of Harry Alexander, proprietor of the Lansdowne Theatre, Toronto, to the presidency of the Independent Theatres Association of Ontario marks the return of a pioneer of the exhibitor movement of more than 20 years.

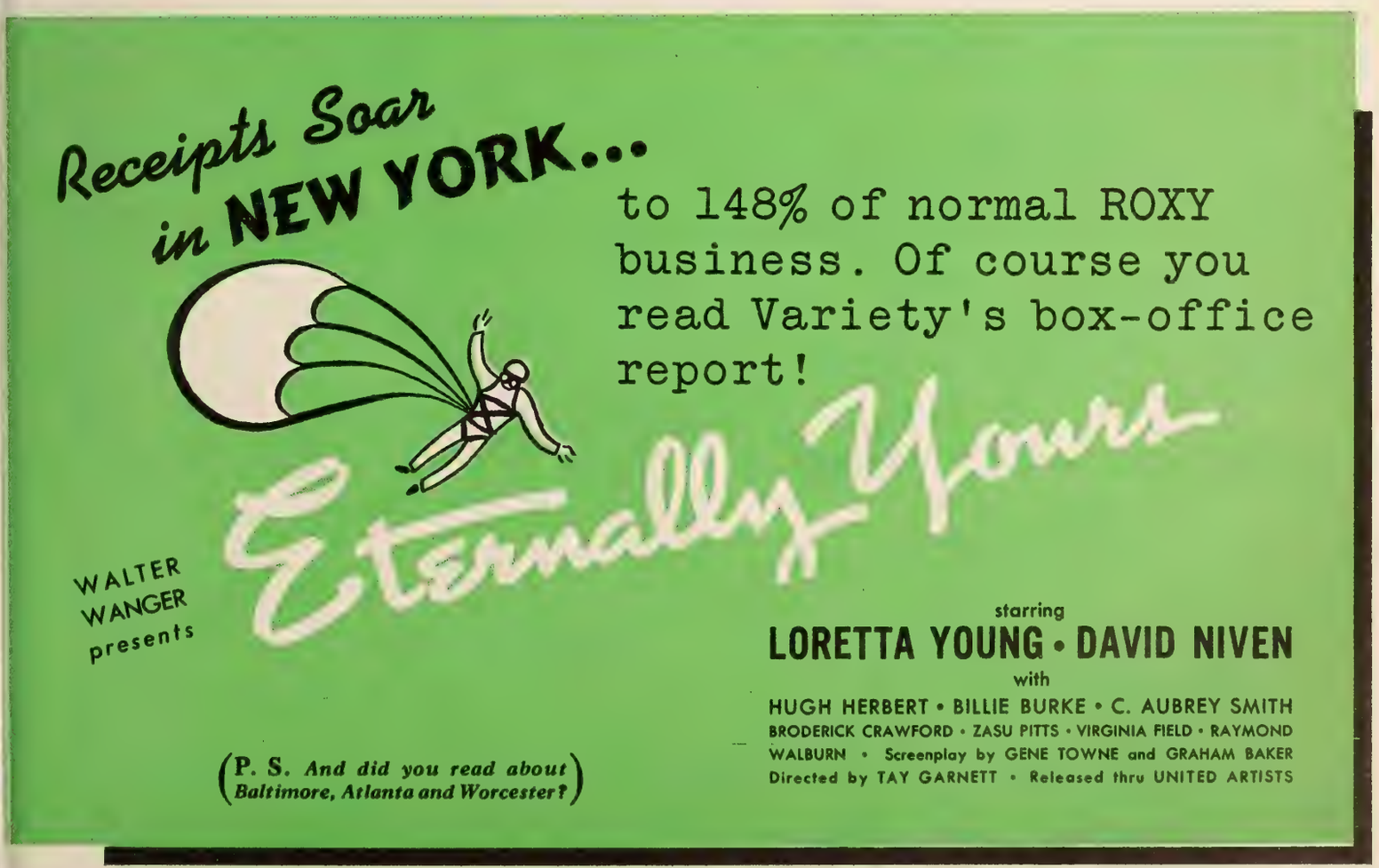
At the close of the World War, Alexander was elected vice-president of the Motion Picture Exhibitors Protective Association of Ontario and continued in that office for many terms while John C. Brady was president. On the death of Brady, Alexander virtually retired from theatre organization and it was only last year that he lined up with the newer I.T.A.

Retiring President Harry Firestone of Toronto, who expects to be called up for military service shortly, becomes a member of the new executive committee, which includes Sam Ulster of the Embassy, Harold Kay of the Fox, Abraham Polakoff of the Mayfair and Ben Ulster, all of Toronto, and J. O. Scott of Weston, the latter being chairman of the Anti-Protection League of Canada.

The elections marked the retirement of Hyman Freedman of the Circle, Toronto, from the executive committee.

Morgan Joins Agency

HOLLYWOOD, Oct. 16.—Ken Morgan, former assistant casting director at Republic, has joined the Artists' Agency, Inc., headed by M. P. Illitch and Kathleen Clifford.



VARIETY CLUB
11th ANNUAL
BANQUET
WILLIAM PENN HOTEL
PITTSBURGH, PA.
OCT. 29, 1939

Presented in honor of

Retiring Chief Barker

IRA H. COHN

And His Associate Officers

Harry Seed	C. C. Kellenberg
Jules Lapidus	Jake Soltz
Al Weiblinger	C. J. Latta
M. Shapiro	Joseph Misrach
H. Feinstein	Al Weiss

11th YEAR

. . . And Still the Most Distinctive and Original Banquet in America!

YEA, BARKERS!

TENT No. 1 wants to make it your greatest week-end of pleasure. If you desire reservations for the FOOTBALL GAME . . .

TECH vs. NOTRE DAME

Write or Wire

JOHN H. HARRIS

Banquet Chairman

1st Office Floor, Wm. Penn Hotel

Football Tickets
$3.30 and $3.85
Banquet $10.00

SHORT SUBJECT REVIEWS

"Drunk Driving"

(M-G-M)

Although the subject matter of this "Crime Does Not Pay" short is necessarily of a somewhat gruesome nature, its exploitation values are tremendous. Police, courts, civic organizations and other community groups easily could be interested in this problem of the drunken driver. The story told is that of a salesman who wins a promotion and takes a few drinks to celebrate. He has a minor accident but several days later when he is about to embark on his new job, he celebrates again. The result is the death of his mother-in-law, a couple riding in another car and the amputation of his wife's legs. Strong stuff but a story that should be told. Running time, 21 mins.

"The Day of Rest"

(M-G-M)

Robert Benchley tells the tired business man how to spend a restful Sunday at home. Up because the children and the vacuum cleaner get going early, he wearies himself with a bit of gardening, gets more tired moving things around the attic, and finally exhausts himself playing badminton with his son. His effort to snooze in the sun is interrupted by the arrival of guests. Benchley at his best. Running time, 10 mins.

"One Mother's Family"

(M-G-M)

The problems of a mother hen with her brood are depicted in this lively color cartoon. With a dozen chicks to guard, her difficulties are many and funny. Animation and color are both good. Should please. Running time, 9 mins.

"A Failure at Fifty"

(M-G-M)

Faced by the difficulty of obtaining employment, a discouraged man of 50 is about to commit suicide when he is interrupted by a stranger. The latter tells him a story of another man who went through a series of reversals and also thought himself a failure at 50. The flashbacks do not show the face of the character until the end when he proves to be Abraham Lincoln. An M-G-M "Miniature" which should have wide appeal. Running time, 10 mins.

"Natural Wonders of Washington State"

(FitzPatrick-M-G-M)

Scenic wonders of Washington, together with some excellent snow sport shots, make this FitzPatrick "Traveltalk" unusually good. Outstanding is the final shot of a sunrise on Mount Ranier which is reproduced with all the glorious coloring of the dawn. The scenes showing a party of girls trying a new sport—sliding down the snow on their waxed breeches—should draw laughs. Running time, 10 mins.

"Set 'em Up"

(M-G-M)

For the millions of the country's bowling fans, this Pete Smith "Specialty" is sure to be right down the alley and there is enough trick shot bowling to amuse any audience. Ned Day, bowling champion, gives some general instruction and he is followed by Andy Varipapa, who can throw two balls down two alleys simultaneously and score strikes with each. Should prove popular. Running time, 10 mins.

Variety Club Sets Benefit in Columbus

COLUMBUS, O., Oct. 16.—The Columbus Variety Club will hold its second annual barn dance and frolic Oct. 25, at the Municipal Auditorium with proceeds to go to the purchase of hydro-therapy equipment for the Children's Hospital, for use of infantile paralysis sufferers. Contests and entertainment will feature the affair.

Gov. John W. Bricker, Mayor Myron B. Gessaman and William C. Pullin, club president, are honorary chairmen. Lou Holleb, independent exhibitor, is general chairman, with C. Harry Schreiber, RKO city manager, as assistant. P. J. Wood is general secretary, and Max Stearn and Jacob Luft, assistants.

Myers MPTO Guest

PITTSBURGH, Oct. 16.—Abram F. Myers, general counsel of Allied States, will be honor guest at the 19th annual banquet of the M.P.T.O. of Western Pennsylvania, to be held Oct. 24 at the Roosevelt Hotel here. A film will follow the dinner.

Joins Trades Council

NEW HAVEN, Oct. 16.—The B-41 unit of the exchange employes' union has joined the New Haven Trades Council.

Jay Means Heads K.C. Variety Club

KANSAS CITY, Oct. 16. — The Variety Club here has elected Jay Means as chief barker, to succeed George Baker. First assistant chief barker is Charles E. Gregory, second assistant is Jerry Zigmond. Arthur Cole is secretary, and James States treasurer.

Directors, besides the officers, are: Ward Scott, Sam Abend, Finton H. Jones, R. F. Withers, C. A. Schultz, and T. R. Thompson.

Cole and Abend were elected delegates to the national convention of Variety Clubs in Dallas next April, with Earl Jameson and George Baker as alternates. Frank Hensler was elected national canvassman. The club has set its annual ball for Nov. 10 at Pla-Mor.

Tower Franchise Signed

Tower Pictures has closed a franchise deal with Abe Teitel of Chicago for the territories of Illinois, Indiana and Wisconsin, on "Double Crime in the Maginot Line."

Jewish Film Opening

Credo Pictures' "Mirele Efros," Jewish film starring Berta Gersten, will open Thursday evening at the Cameo.

Radio Programs

Regal Shoe Co. is sponsoring news broadcasts by Elmer Davis over WABC, Mondays, Wednesdays and Fridays at 6:30 P.M. It started yesterday. Cecil & Prebrey is the agency. . . ."Col. Stoopnagle Quixie-Doodle," which makes its debut Friday at 8 P.M. over Mutual, will be broadcast the following week from Philadelphia's Convention Hall before 15,000 who are expected to attend the Auto Show. . . .

Secretary of State Cordell Hull has sent a letter to U.S. Commissioner of Education John W. Studebaker praising the current series on foreign trade now being heard in the CBS "Democracy in Action" programs. . . . Two new programs designed for children have been prepared for C.B.C. by Mary Grannan, director of children's features. The "Just Mary" program will return to C.B.C. networks shortly at a 12 M. Sunday spot and "Children's Scrap Book" will be heard Saturdays at 12:30 P.M. . . . "Ship of Song" is a new sustainer on WLW, Cincinnati. It is heard Wednesdays and Fridays at 7:30 P.M. and is under the direction of William Stoess. . . .

Peggy Joan and Marianne Moylan, aged five and seven, respectively, started their own series over NBC-Blue Sunday. The singing act will be heard Sundays at 5 P.M. . . . CBS series, "Columbia Concert Hall," started a new schedule yesterday. It will be heard Mondays at 10:30 P.M.

FCC Challenges D. C. Court Over Appeals

WASHINGTON, Oct. 16.—The Supreme Court today granted a petition of the Federal Communications Commission for a review of the action of the District of Columbia Court of Appeals granting a writ of mandamus to Paul R. Heitmeyer, whose application for a construction permit for a new broadcasting station at Cheyenne, Wyo., had been refused.

Like the Pottsville Broadcasting Co. case, the suit involves the procedure to be followed in appealing from Commission actions, the F.C.C. contending that the Court erred in granting the writ where an applicant had not exhausted his administrative remedies, had not shown a clear right to the relief or any threat of injury if the writ were denied, and asked relief which contradicted the statutory duty of the commission.

Plan $500,000 Studio

SAN FRANCISCO, Oct. 16.—Possibility of construction of a new $500,000 downtown studio layout for KPO and KGO, red and blue network stations here, was admitted for not too distant future by Don Gilman, NBC vice-president on the Pacific Coast.

Issue New Rate Card

New rate card for the nine-station Columbia New England network has been released. Basic night rate for the network is $1,730 per hour for night time and $868 per day.

Dual Anniversary

Paul Terry yesterday observed a double anniversary. It was his 25th anniversary as a cartoonist and the 10th birthday of Terrytoons, cartoon comedies. The veteran cartoon producer this season will release 26 subjects through 20th Century-Fox, 10 of them in color.

FCC to Hear Broadcasting Power Pleas

WASHINGTON, Oct. 16.—The Federal Communications Commission has assigned dates for future hearings as follows:

Oct. 17: Application of Las Vegas Broadcasting Co., Inc., for a new 1,420-kilocycle station at Las Vegas, N. M., with 100 watts night, 250 watts day.

Nov. 2: Applications of Station WROL, Knoxville, Tenn., for change of frequency from 1,310 to 620 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts; Samuel M. Emison for a new 1,420-kilocycle, 100-watt station at Vincennes, Ind.

Nov. 7: Applications of Station KFIO, Spokane, Wash., for change of frequency from 1,120 to 950 kilocycles, extension of time from day to unlimited and increase of power from 100 to 1,000 watts; and Lakeland Broadcasting Co. for a new 680-kilocycle, 250-watt day station at Willmar, Minn.

Nov. 8: Applications of the Gazette Co. for a new 1,420-kilocycle, 100-watt station at Cedar Rapids, Ia., and Mayflower Broadcasting Corp. for a new 1,410-kilocycle station at Boston, with 500 watts night, 1,000 watts day, requesting the facilities of WAAB.

Nov. 20: Applications of Sanfeliz Enrique Abarca and United Theatres, Inc., each seeking a 580-kilocycle, 1,000-watt station at San Juan, P. R.

Dec. 11: Application of Hazelwood, Inc., for a new 1,390-kilocycle, 1,000-watt station at Orlando, Fla.

Films for Television Must Have SAG Cast

(*Continued from page* 1)

will put on "The Milky Way" on schedule. The scenes for which film was to be used could not be produced adequately in the studio, but the bulk of the play was to have been acted by a cast hired specially for the program. S.A.G. officials here declared that they were not concerned with the use to which a film was to be put.

Union which shall have jurisdiction over television has not been settled by Associated Actors and Artistes of America, parent body. Equity, S.A.G. and American Federation of Radio Artists claim it. A 4-A board meeting was held yesterday at which Equity delegates protested the S.A.G. demands before jurisdiction is fixed but no comment was forthcoming. Equity officials take the stand that the "Very Warm for May" case was an exception because actors actually engaged in a legitimate stage production were involved.

Radio Personals

Edward B. Mayer has been named news editor at WIP, Philadelphia. . . . Don Hirsch, former Pittsburgh newspaperman, has started a series of news broadcasts over KDKA. . . . John Chapman, columnist, has taken over the emcee post on "Author! Author!" . . . Bill Russell, NBC baritone, has been engaged by Packard Motor Car to act as its announcer at the Auto Show. . . .

Morton Gould, WOR composer, has returned from Westport where he showed Fritz Reiner, conductor, his completed tone poem based on the songs of Stephen Foster. . . . Dean Smith is the newest addition to WABY announcing staff. . . . Gracie Allen will appear in a dramatic role with George Burns, Gloria Jean and James Cagney Sunday at 7:30 P.M. over CBS in the "Screen Guild" show. . . .

Shirley Temple makes her radio debut Christmas Eve on the "Screen Guild" show. . . . Major Frank Forbes-Leith has been appointed sales manager in the metropolitan area for Wire Broadcasting Corp. . . . Philip L. Barbour, NBC foreign stations and press relations representative, speaks tomorrow before the Conference on Inter-American Relations in the Field of Music in Washington.

Vogt Wins Lengthy Sound Patent Fight

(*Continued from page* 1)

by William Fox at one time and is now owned by a corporation in which members of his family are the principal stockholders. The Vogt-Tri-Ergon fly-wheel patents were the subject of considerable litigation five years ago in suits involving A.T. & T., Western Electric, Erpi and other sound equipment manufacturing and licensing companies.

That case, heralded at the time as one which could give control of the sound equipment industry to Fox, was lost by Tri-Ergon in the U. S. Supreme Court.

Silverstone Voices Note Of Optimism

(*Continued from page* 1)

wyn's "Raffles" and Walter Wanger's "Send Another Coffin."

After conferring with Lynn Farnol, advertising and publicity director yesterday, it was decided that members of Farnol's department will alternate with him in making regular Coast visits to view both newly-completed product and pictures in work in order to improve advertising and publicity campaigns and have them in readiness well in advance of release dates.

In accordance with this policy, Monreo Greenthal, will go to the Coast at the end of this week. Following his return, in about two weeks, Albert Margolies will visit the U. A. producers' studios, and he will be followed by Farnol about two weeks later.

Folley Corp. Amends Trust Suit Complaint

Folley Amusement Holding Corp., plaintiff in $250,000 treble damage anti-trust suit against the eight majors, Republic Pictures Corp., Monogram Distributing Corp. and others, yesterday filed an amended complaint against United Artists Corp. and a bill of particulars. Folley claims conspiracy on the part of the defendants to deprive it of product allegedly compelling it to close the doors of the Folley Theatre in Brooklyn.

Stoneman Trial Set

Trial of the suit of David Stoneman, Boston attorney, for $70,886 damages against former Paramount-Publix directors Fred L. Metzler, Sam Katz, Sam Dembow, Jr., Ralph A. Kohn, Marian Coles and Felix E. Kahn was ordered for Oct. 20 by N. Y. Supreme Court Justice Wasservogel yesterday. Suit charges the defendants with persuading Stoneman to lease a Portland, Me., theatre to Paramount-Publix by allegedly showing him false financial statements of that company.



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A DRAMATIC STORY TORN from the HEART of a SOLDIER!

STANDARD PICTURES *presents*

"LOST ON THE WESTERN FRONT"

with

PAUL CAVANAGH
MARCELLE CHANTAL
GARRY MARSH

Directed by Maurice Elvey



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Special Attractions	Chicago, Ill.
Monarch Pictures Co.	Pittsburgh, Pa.
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Majestic Distributing Co.	Los Angeles, Cal.
All Star Features Distributors	San Francisco, Cal.
Excellent Pictures Corp.	Detroit, Mich.
F. C. Pictures Corp.	Buffalo, N. Y.
Imperial Pictures, Inc.	New Haven, Conn.
Independent Film Service	Cincinnati, O.
Texas Film Co.	Dallas, Tex.
F. C. Pictures Corp.	Albany, N. Y.
Superior Pictures, Inc.	St. Louis, Mo.
Mercury Film Exchange	Denver, Colo.
Superior Pictures, Inc.	Indianapolis, Ind.
Atlantic Pictures	New Orleans, La.
Superior Pictures, Inc.	Milwaukee, Wis.
Texas Film Co.	Memphis, Tenn.
Mercury Film Exchange	Salt Lake City, Utah
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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 76 NEW YORK, WEDNESDAY, OCTOBER 18, 1939 TEN CENTS

Latin America Market Fully Tapped: Gould

No Chance to Recoup Lost Foreign Cash There

Trade possibilities in Latin American markets are already being realized to their fullest extent within the limitations of practicability, Walter Gould, Latin American sales manager for United Artists, said yesterday following his return from a 10-weeks trip to Argentina, Brazil and Uruguay.

Gould intimated that there is little foundation for the impression encountered in some trade circles that a considerable portion of lost European revenues may be recouped in Latin American markets.

"To say that important sources of revenue are waiting to be tapped in South and Central America," Gould pointed out, "is equivalent to saying that the foreign departments of the entire American film industry have not been doing their jobs all these years—that they have been deliberately ignoring trade possibilities.

"That is nonsense, of course, for if

(*Continued on page 3*)

Operators Sue, Ask Wage Cuts Restored

Operators Union, Local 306, has started four actions in the N. Y. Supreme Court against major circuits here, it was learned yesterday. Only a summons has been served in each action, but union officials disclosed that the action is intended to recoup approximately $300,000 for members which is allegedly due as unrestored wage cuts.

Defendants named in the suit are RKO, Warners, Loew's and Paramount. The summons does not reveal the nature of the action. The

(*Continued on page 2*)

Censorship By CBS On War Programs

Sponsored news broadcasts will be under strict supervision and dramatic material dealing with the war situation will be banned in the future, CBS notified all advertisers and agencies by special bulletin yesterday.

After stating that the network was providing extensive news coverage on the war, the bulletin continued:

"All news broadcasts, including news sources, news preparation, news

(*Continued on page 3*)

50% of Exhibitors Didn't Reach 1937 Income Tax Level

WASHINGTON, Oct. 17.—Approximately three-fourths of the motion picture producing corporations of the country showed no income tax liability on their operations for 1937, while slightly more than half of the exhibitor corporations paid income taxes, it was reported today by the Treasury Department.

Only 61 of the 246 producer corporations showed net income, it was shown in an analysis of corporation returns for 1937. Those companies reported an aggregate gross income of $123,603,000 and a net income of $13,864,000 on which they paid $1,325,000 in normal taxes, $207,000 in undistributed profits surtaxes and $7,000 in excess profits taxes.

Of the remaining corporations, 52 were inactive during the year and the remaining 133 showed an aggregate

(*Continued on page 2*)

Newsreels in Final Wage Parley Soon

Final negotiations on the new two-year contract between the five newsreels and Cameraman's Local 644 will be held here in about two weeks, Charles Downs, executive secretary of the union, said yesterday on his return to New York from the Coast.

Pat Casey, Eastern labor representative for major companies, will come to New York from the Coast for the negotiations and probably will remain here indefinitely thereafter in line with the new arrangement under

(*Continued on page 6*)

City Council Passes Ticket Brokers Bill

N. Y. City Council yesterday passed, 21 to 2, a bill which limits advances to be charged by ticket brokers to 75 cents. The bill was introduced by Councilman Howard H. Spellman and was backed by League of N. Y. Theatres and Actors Equity.

The Spellman bill provides that a producer may fix the price advance at any figure not more than 75 cents above the boxoffice price. Any broker who resells for a greater amount is guilty of a violation. Where the producer does not fix the advance, the broker may resell at any price. The bill goes to the mayor for signature.

'Mr. Smith' Bows To Capital Hosts

WASHINGTON, Oct. 17.—One "Mr. Smith," sponsored by Columbia Pictures and most particularly by Frank Capra, made an appearance here tonight, with his hosts including the greater part of official Washington and accompanied by a throng of national magazine, trade and daily press representatives.

The occasion was the world premiere of Columbia's Frank Capra production, "Mr. Smith Goes to Washington," appropriately enough screened in Constitution Hall, and held under auspices of the National Press Club.

At an early dinner preceding the showing of the film, Arthur Hatchen,

(*Continued on page 3*)

"THE LONE RANGER" *or Harry Brandt Rides Again*

Presently a lone scout will slip through the shadows of Cajon Pass, through the foothills, across the silent mesas, through the long moonlit vistas of the palms, where last year's leaves dustily rustle and whisper in the Autumn winds, and creep low along the adobe patterned walls of Hollywood, to lurk there listening.

The Brandts ride again.

The I.T.O.A.'s have been sitting in the longhouse in council.

It is decreed. They are sending their president, Harry Brandt, to go out across the desert alone, and to look. It is token of the big medicine he has made in the past with his incantations about stars who were "box office poison," and his proclaiming about the evils of the bills that are double.

Scout Brandt is to report, says the official declaration issued to the press, about: "The ability of picture companies to produce high quality pictures, despite the loss of a foreign market, and the general product outlook for the season."

It is officially stated that this is Mr. Brandt's first trip to Hollywood and that he expects to be gone about three weeks.

There are those among the observers of Broadway who hold that if Mr. Brandt can get the answer on his first trip, and inside of three weeks, or any weeks his report would be eagerly sought by Hollywood, too.

Allied Visions Greater Amity Within Trade

Distributors' Concessions Boon to Confidence

Relations between exhibitors and distributors have improved greatly since the controversy over the trade practice code has subsided, it is declared by Allied States Association in an organization bulletin issued by Abram F. Myers, chairman of the board and general counsel, in Washington yesterday.

Commenting on increased cancellations and other concessions being offered by some of the major film companies, Myers said:

"If the distributors carry out their voluntary undertakings in good faith they will make a great contribution to the restoration of confidence and will pave the way for the kind of cooperation and understanding that should prevail in so great an industry.

"For a time last Summer, with everybody talking out of turn and

(*Continued on page 2*)

Urges U. S. 'Truce' With Film Industry

A suggestion that the Government call a truce in its litigation against the major companies for the duration of the war was made by Emil K. Ellis, attorney, at a luncheon meeting of the Motion Picture Associates yesterday at the Hotel Astor. About 130 were present.

Ellis said that without expressing a viewpoint one way or another with regard to the pending litigation, he believed that under present world-wide conditions, the Government should permit the industry a breathing spell from "harassment."

"The Department of Justice should

(*Continued on page 6*)

Snarl on Television Jurisdiction Grows

The already tangled problem of union jurisdiction over television appeared more complicated yesterday as Thomas Hutchinson, director of programs for NBC television, and Max Gordon, who acts in an advisory capacity, appeared before the council of Actors Equity.

They requested union officials to

(*Continued on page 3*)

Income Taxes In 1937 Missed 50% Exhibitors

(Continued from page 1)

gross income of $115,844,000 which, after allowable deductions, left a deficit, for tax purposes, of $10,727,000.

Among the exhibition corporations, 2,177 of the 4,097 reporting showed an aggregate gross income of $472,536,000 and net income of $53,120,000 on which they paid normal taxes of $6,188,000, undistributed profits taxes of $1,057,000 and excess profits taxes of $289,000.

Of the non-taxpaying corporations, 213 were reported inactive and the remaining 1,707 reported an aggregate gross income of $106,335,000, but a deficit of $6,386,000.

In the broadcasting field, 280 out of 548 corporations reported taxable income, having an aggregate gross of $115,534,000 and a net of $19,099,000. They paid $2,651,000 in normal taxes $379,000 in undistributed profits taxes and $126,000 in excess profits taxes.

Eighty-one companies were inactive and the remaining 187 reported an aggregate gross income of $9,177,000 and a deficit of $1,160,000.

Theatre Is Absolved In Providence Panic

PROVIDENCE, Oct. 17.—The Empire, leading downtown second-run house, where 26 children were injured Sunday in a panic, was exonerated today by Building Inspector Alexander Addeo, who said that all "exits are adequate and in good order." Police are holding several youths who precipitated the panic with a fist fight.

Chorus Equity Meeting

Quarterly meeting of Chorus Equity Association will be held at the Hotel Astor Friday at 2:30 P. M. The council yesterday approved in principle the amalgamation of all Associated Actors and Artistes of America offices in New York City, but stated that details would be required before final approval was given.

FLY *American* TO
LOS ANGELES OVERNIGHT
Via American's Southern Sunshine Route
GIANT FLAGSHIP SKYSLEEPERS
AT 5:10 P. M. AND 10:10 P. M.
DAYLIGHT FLIGHT AT 7:10 A. M.
For reservations call your Travel Agent or HAvemeyer 6-5000. Ticket offices 45 Vanderbilt Ave. and Rockefeller Center at 18 W. 49th Street.
AMERICAN AIRLINES *Inc.*
ROUTE OF THE FLAGSHIPS

Allied Hails New Amity, Confidence in Industry

(Continued from page 1)

not caring very much about what they said, the situation looked desperate. In recent months, with more action and less talk, the situation has greatly improved."

Exhibitors' reports differ on the actual performance of Warners and M-G-M under their announced sales policies, and Allied will continue to check the situation, as selling is not sufficiently advanced to afford any reliable indication, the bulletin says.

The bulletin gives Gradwell L. Sears, Warners' general sales manager, "full credit for his enterprise" in making the first announcement of sales policy following rejection of the proposed code by the Department of Justice.

Cites 'Grave Dangers'

The bulletin says that the foreign revenue situation resulting from the war holds "grave dangers" for the entire industry and urges that the burden be "fairly distributed" and not carried by exhibitors alone.

It is suggested that independent exhibitors, through their national organizations, name a committee to work with a group representing the producers "to ascertain and report the facts in reference to current and prospective losses, to advise the exhibitors as to how production values are being maintained, and to make recommenations for necessary curtailments of cost, extended playing time for pictures, need for additional film revenue (if any) and other matters of vital interest to all parties."

Producers should keep exhibitors fully informed of the situation, the bulletin states.

If the "cash and carry" neutrality plan is enacted and the war continues, there will be a quick upsurge in industrial activity, and the picture business will be among the first to benefit, says the bulletin. However, the current optimistic outlook is conditioned on a war prosperity, and wise exhibitors will guard against undue expansion.

Many of the factors which built the industry and made it great no longer exist, says Allied, and "the industry will have to find ways and means to keep admission prices low." To raise admission prices at this time "would be the height of folly," according to Allied.

Urges Television Study

The bulletin declares that television "will bring new and difficult problems for theatre owners," and that independent exhibitors should guard against a repetition of the confused situation in 1929 when talking pictures came.

While television is still far off, Allied is investigating the possible situation with regard to equipment and service, and suggests that exhibitors build up a reserve to defray the cost of installing television.

Allied has received many complaints, particularly from Indiana, Wisconsin and Michigan, regarding public exhibition of 16mm. films. The bulletin demands that the "leak" be stopped. These films are being shown in violation of copyright restrictions, or certain distributors have been negligent in the wording of their contracts, Allied says.

Exhibitors are urged to cooperate in the industry's observance of the Golden Anniversary of Motion Pictures.

Operators Sue, Ask Wage Cuts Restored

(Continued from page 1)

union asserts that during the administration of Sam Kaplan, former head of the union, a 10 per cent wage cut was agreed upon for a period of one year only. The cut was not restored after that period and the union claims that its members are entitled to be reimbursed under the terms of a then-existing contract. A new contract has been in force since 1935.

The suit has no effect on pending proceedings for the appointment of a neutral arbitrator under the present contract, it was stated.

Wisconsin ITPA Will Meet Oct. 31

MILWAUKEE, Oct. 17.—The I.T.P.A. of Wisconsin and Upper Michigan will hold its annual meeting at the Schroeder Hotel here Oct. 31 and Nov. 1. Harry Perlewitz, former local exhibitor and acting business manager of the association, is in charge of arrangements, which will include a Hallowe'en party the first night, sponsored by the Variety Club, and a floor show on the concluding night.

Perlewitz is negotiating for local independent exhibitors with the operators' union, Local 164, on a new contract. The present two-year agreement expires Oct. 31.

Goldberg's Father Dies

ALBANY, Oct. 17.—George Goldberg, father of Stanley Goldberg, Columbia booker here, died in Chicago last Saturday, and was buried at Hamilton, Ont., Sunday afternoon, it has been learned here.

Projector Plant Host To Circuit's Officials

Executives of the Wilmer & Vincent circuit and a group from the projection division headed by Henry Behr, will visit the International Projector Corp. factory today. They will be welcomed at the Simplex factory by A. E. Meyer, general sales manager; Rudolph Kneuer, assistant general sales manager, and P. A. McGuire, advertising manager.

Officials of Wilmer & Vincent in the party will be: Frank Sutton, Otis Bugg, Stewart Seifert, James Rau, Harold Conrad, Leroy Talbot, Paul F. Patterson, Charles E. Brunner and Charles Seifert.

Film to Show Warner

HOLLYWOOD, Oct. 17.—Harry M. Warner today accepted the invitation by the Russell Sage Foundation to appear in the film, "America's Making," which will deal with contributions of American citizens to the development of the nation.

Purely Personal

C. C. PETTIJOHN of the M.P.P.D.A. yesterday left for Lincoln, Neb., where he will address the annual convention of Nebraska Women's Clubs tomorrow.

•

DON AMECHE will leave next week with MRS. AMECHE for an eight-week air tour of South and Central America. They will follow the route taken by TYRONE POWER and HENRY FONDA a few months ago.

•

DOROTHY BUTLER, Loew's receptionist, will leave the company Friday, preparatory to moving to Aruba, Netherlands West Indies, where her husband is in the employ of General Electric.

•

IRVING SHIFFRIN, RKO publicist, returns from Philadelphia today where he has been contacting newspaper film editors on new RKO product.

•

GERALDINE FITZGERALD, Warner star who has been vacationing in Ireland, returns on the *Manhattan*, due Friday. She will go immediately to the Coast.

•

MARION BOLEN, MARION LENHART and SYLVIA NIDEN of the 20th Century-Fox exchange in Philadelphia have announced their engagements.

•

JOAN VOTIS, associate editor of *Screen Book*, and PETER CURTIS will be married Sunday.

•

IRVING ASHER, who arrived last week from England, has gone to the Coast.

•

SCHUYLER BEATTIE of Paramount's Albany branch is in Washington, where he will spend his vacation.

•

AL MARCHETTI, Universal Albany booker, is ill with an attack of grippe.

•

LOUIS K. SIDNEY of Loew's has arrived from the Coast.

•

BEN GOETZ will be out of Doctors Hospital in a few days.

•

DR. HERBERT T. KALMUS returns today from Boston.

•

HARRY GOLD is minus several molars.

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'Mr. Smith' Has a Busy Capital Day

(Continued from page 1)

Press Club president, pointed out the community of interest existing between the film's theme—that of the fight of a young, unknown Senator for honesty in government—and the audience to whom it was presented this evening. The Press Club's chorus made its debut in a rendition prior to the remarks of Hatchen.

Actually, it was Frank Capra Day in Washington. Some 500 members and their guests attended a luncheon today for the producer. Harry Cohn, president of Columbia; Happy Chandler, new Senator from Kentucky and former Governor, and James Preston, technical adviser on the film, were honored guests.

Capra, in a brief talk, was an impressive speaker, and followed his talk by answering questions from Press Club members. Hatchen presided. W. G. Van Schmus, managing director of the Radio City Music Hall in New York—where the film will open on Thursday—also spoke briefly.

Arrangements for the festive occasion were made by a Press Club committee consisting of Hatchen, Fred Perkins and Walter Karig, cooperating with representatives of Columbia Pictures.

The audience at this evening's premiere, which presented a cross-section of Washington officialdom, was headed by Cordell Hull, Secretary of State; Postmaster General James A. Farley, Attorney General Frank Murphy, Supreme Court Justice Stanley F. Reed, U.S. Solicitor General Robert Jackson, and Charles Edison, Acting Secretary of the Navy.

A large New York delegation, numbering more than 60, arrived here this afternoon by special train, having stopped en route to pick up additional press representatives at Philadelphia and Baltimore. Another group came directly by train from Boston.

Columbia executives attending the opening, in addition to Harry Cohn, included: Jack Cohn, vice-president; Abe Montague, general sales manager; Nate B. Spingold, Maurice A. Bergman, Leo Jaffe, Frank McGrann, Hortense Schorr, Leonard Gaynor, Hank Kaufman and Bernard Zeeman.

Sues Paramount

Paramount Pictures, Inc., and Paramount Pictures Distributing Corp. were named defendants yesterday in a suit filed in N. Y. Supreme Court by Benjamin Roman which seeks $250,000 damages for alleged breach of contract. Roman claims a contract gave him exclusive rights to distribute reissues of the Paramount films, "Morocco" and "The Spoilers," in New York and northern New Jersey.

Retain 'Hitler' Title

HOLLYWOOD, Oct. 17.—There has been no change in the title of "Hitler, Beast of Berlin," and none is anticipated, Ben Judell, president of Producers Pictures Corp., said today in announcing release date of Oct. 22 would be kept. Florence Gale has joined the staff of Producers Pictures Corp. as assistant to Eddy Graneman, publicity director.

Notables at Capra Fete



In the above wirephoto sent exclusively to the MOTION PICTURE DAILY from Washington last night is a group of notables who attended the reception there for Frank Capra's film, "Mr. Smith Goes to Washington." Left to right: A. Schneider, treasurer, Columbia; A. Montague, general sales manager; Jack Cohn, vice-president; W. G. Van Schmus, managing director, Radio City Music Hall; Mrs. Frank Capra; Arthur Hachten, president, National Press Club; Frank Capra, director of "Mr. Smith," and Harry Cohn, president, Columbia.

Censorship By CBS On War Programs

(Continued from page 1)

announcers and their method of delivery are subject to CBS supervision and are a part of the network's responsibility. Advertisers are requested to make no plans for new or additional news broadcasts without prior consultation with us."

The bulletin then referred to the code banning controversial issues from sponsored programs. It continued:

"As an extension of this practice under present conditions, and because it is impossible, under the dramatic idiom, to deal with war without emotional conflict (invoking sympathy and antipathy for the character concerned), situations growing out of the present war are to be avoided either as major themes for drama on the air, or as background for the presentation of other dramatic program material."

Engineers to Dine And Dance Tonight

Semi-annual banquet and dance will feature today's activities of the Fall convention of Society of Motion Picture Engineers at Hotel Pennsylvania. Officers for 1940 will be introduced, and the S.M.P.E. progress medal and journal award will be given.

A projection session, with A. N. Goldsmith as chairman, and a general session at which H. Griffin will preside, will precede the banquet.

U.A. Previews 'Daughter'

United Artists previewed "The Housekeeper's Daughter" at New Rochelle last night for circuit executives and film buyers.

Snarl on Television Jurisdiction Grows

(Continued from page 1)

take an understanding view of the problems of the new art and sought permission to submit a proposed pay scale to next week's meeting. The council agreed to accept the offer.

Gordon's forthcoming play, "Very Warm for May," was due to be telecast last week, but it was cancelled when Equity demanded a full week's pay for the telecast. Whether NBC officials sought to negotiate with Equity for all television actors, or merely those who are currently employed in legitimate plays, could not be learned last night. A union spokesman declared that it was the union's understanding that all actors were involved.

Jurisdiction is claimed by Equity, Screen Actors Guild and American Federation of Radio Artists. S.A.G. officials notified NBC Monday that all films made expressly for television would have to be made under S.A.G. contracts.

Yesterday, however, it was learned that S.A.G. does not plan to enforce its closed shop provisions, but will be satisfied if actors are members of one branch of the Associated Actors and Artistes of America and if the union scale is paid.

Song Plagiarism Charged

Song plagiarism suit against Twentieth Century-Fox Film Corp., Sam Fox Publishing Co., Con Conrad and Herb Magidson was filed yesterday in U. S. District Court by Carl Field, Henry Clarkson and Jeff Clarkson. Plaintiffs seek $25,000, claiming their song, "Goodbye to Love," was plagiarised in the song, "Here's to Romance," in the Fox film of the same name.

Latin America Market Fully Tapped: Gould

(Continued from page 1)

any worthwhile markets were being neglected, or existed there, it is inconceivable that one or more companies would not have seized the advantage offered them by the others long before now."

"The truth is," Gould said, "that the American companies have about 70 per cent of the film business of Latin America now. The remainder is divided about equally between native and European product.

Transportation Handicap

"Distribution in South and Central America has been extended to every accessible city and town already. It could not be extended further at this time on any profitable basis because of limited transportation facilities to the interior and remote coastal areas and because of the economic situation which prevails in those partially accessible areas."

Gould, however, reported business conditions to be excellent in Argentina and Brazil and likely to become even better under the stimulus of war sales if the present problem of transportation is solved. He said that European product already is becoming noticeably less in the first run theatres and that, if the war continues, American companies may expect a large portion of the 15 per cent of the Latin American market which European pictures have held heretofore.

Three Sao Paulo Theatres

Gould reported that United Artists would be operating three theatres in Sao Paulo, Brazil, by the end of the year. The Opera-United Artists, a 2,200-seat first run, is scheduled to open Nov. 15. The Roxy-United Artists, a 3,500-seat neighborhood house, will be completed by the end of the year, and the Astoria, an 1,100-seat subsequent run, is in operation.

Difficulty in obtaining acceptable product deals in Sao Paulo, where Loew's also operate a theatre and have indicated they may expand, is believed to have led to acquisition of the houses by United Artists. Gould said that other deals of the kind "might" be made elsewhere in South America.

Seeking Argentine Trade Concessions

Representations on behalf of the film industry will be made to the State Department in Washington today by a lawyers' committee which will seek consideration for film problems in the trade treaty now being negotiated with Argentina.

The lawyers' committee consists of Harold S. Bareford, Warners; Harry Levine, RKO; Frank Irbe, 20th Century-Fox, and Joseph Rosenthal, Loew's. Consideration for the industry's trade position in bearing the current three-way taxation imposed by Argentina will be asked.

American distributors won a court victory on one phase of the impost against the Argentine tax department recently. It is reported, however, that the tax department plans to counter with a new levy on money taken out of the country.



M-G-M's GOT WHAT THE WORLD WANTS!

LAUGHS!



ONLY LEO HAS THE BIG COMEDY HITS!



"THE WOMEN"

(NORMA SHEARER, JOAN CRAWFORD, Rosalind Russell)

Convulsing the nation in hold-over engagements!



"BABES IN ARMS"

(MICKEY ROONEY, JUDY GARLAND and Cast of Hundreds)

Unique in show business, Dallas, Philadelphia, Los Angeles, Cincinnati, Houston, Chicago start the record-breaking career of M-G-M's musical comedy smash!



MARX BROS. "AT THE CIRCUS"

(GROUCHO, CHICO, HARPO and Big Laughing Cast)

Not since "Night at the Opera" such a riot of fun and music!





"NINOTCHKA"

(GRETA GARBO, MELVYN DOUGLAS)

Trade Previews are the Talk of Every Film Row! Garbo gets the Lubitsch touch and you get a new laughing star in the season's happiest hit!



"ANOTHER THIN MAN"

(WILLIAM POWELL, MYRNA LOY)

Popular Bill Powell, merry Myrna Loy, reunited! They have a B-A-B-Y in the newest and funniest of a great box-office series!



LAUGH AND THE BOX-OFFICE LAUGHS WITH YOU!

Pleads Need of U.S. Truce With Industry

(Continued from page 1)

call an armistice until the war is over or until such time as the industry determines whether it can or cannot survive without foreign markets," said Ellis. The foreign revenue situation, he continued, is more serious than is generally known.

Ellis, who is chairman of the Federal Bar Association's Bill of Rights Committee, lauded Warners and other film companies which have made patriotic pictures and films "calculated to instill particularly in the young the true meaning of the Bill of Rights."

Other speakers were Harold Rodner of Warners, an official of the Will Rogers Memorial Hospital at Saranac Lake, N. Y., who urged that the Associates make greater use of the hospital's facilities in their charitable work, and Sam Rinzler of the Randforce circuit, who commended the Associates' philanthropies.

Jack Ellis, president, and Morris Sanders, chairman of the committee for the Associates' 20th annual ball and dinner, urged support of the affair, which is the chief means of raising funds for the organization's charities among the ill and needy in the industry.

The cast of "Hellzapoppin'" will entertain at the ball, which will be held Nov. 25 at the Hotel Astor. Moe Kurtz is co-chairman. Other committee members are Joe J. Lee, Harry H. Buxbaum and Seymour Florin. David Kane is in charge of promotion for the fifth year.

Jack Ellis announced that the Associates had admitted 14 new members. They are Harry Zittel, RKO; Rube Greenberg, Paramount; Arthur B. Mayer, Rialto Theatre; David Dubin, Grand Central Theatre; H. L. Ripps, M-G-M; David Kane, Rosenblatt & Welt circuit; Joseph Rosenzweig, Jack Fields, Herman Pett, Oscar Kantor, Maurice Stahl, Bernard Bergton, Oscar L. Lager and Emil K. Ellis.

'Jamaica Inn' Gets Second Rivoli Week

Aided by a mid-week holiday, grosses along Broadway for the week ending yesterday proved fairly strong. At the Rivoli, "Jamaica Inn" grossed an estimated $37,000 in its first week and is held over.

"What a Life" drew an estimated $38,000 in its first week at the Paramount and will be held for a second. "Hollywood Cavalcade" is setting a fast pace at the Roxy with an estimated $42,500 for its first five days. "Goodbye Mr. Chips" brought an estimated $7,000 in its 22d week.

Ask Tax Assessment Cuts

Writs of certiorari against the City Tax Commission were filed yesterday in N. Y. Supreme Court by four affiliated New York theatres in which reduction of high tax assessments were sought. The petitions were filed by William Yoost, Yoost Photoplay Theatre Co., Ltd., Murray Hill Photoplay, Inc., and Ansonia Amusement Corp.

Screen Actors Mail Ballots for Election of Eastern Council

Ballots were mailed yesterday to members of the Eastern branch of Screen Actors Guild for elections to the advisory council for the East.

Fifteen members are to be elected, the five receiving the highest vote will serve for three years, the next five for two years and the lowest five for one. The new council will replace the former council of nine.

Ballots must be returned before Nov. 2. Results will be announced at the annual meeting Nov. 3 at the Hotel Astor.

Nominees are Florence Auer, Opal Baker, Alan Bandler, Ethel Curtis, John Dale, Henry de Koven, Helen Edwards, Jack Harwood, John Hyland, Kathryn Kemp, Stephen Kent, Edward Lawrence, Audna Little, Robert Lynn, Joseph McInerney, Frank McNellis, John Neilan, Florence Nelson, Philip Ober, Nellie Ranson, Florence Richardson, Walter S. Weeks and Bert Wilcox.

Plane Proves Long Distance Television

Demonstration of television reception in airplanes was given yesterday by NBC. A United Air Lines plane followed the television beam out to Washington and at a height of 18,000 feet received images over the great distance perfectly.

An announcer in the plane was able to describe clothing worn by David Sarnoff, RCA president, and W. A. Patterson, president of United, both of whom were in the New York studios.

The plane landed in Washington and took up several Government officials to view a telecast from the North Beach airport. The demonstration was arranged in connection with the 20th anniversary of RCA.

CBS Publicity Staff Changes Are Made

Several additions to the CBS publicity staff were announced yesterday. John Denson will join the staff Monday, writing daily material. Luther J. Reid, formerly assistant director of publicity for CBS, has been named director of publicity for WABC. Pat Dolan has been added as assistant to Ed Sammis, in the magazine division. Dolan has previously been stationed in Chicago.

Ted Weber will join CBS Wednesday for program promotion, replacing H. Elliott Steickel, resigned. Robert S. Wood has joined the news staff of the public affairs department under Paul White.

Suits Against Loew's Killed at Providence

PROVIDENCE, Oct. 17.—Two suits charging false imprisonment against E. M. Loew, Inc., operator of the Olympia theatre here, were dismissed today in Superior Court. It was alleged that theatre officials detained two sisters last January until they signed statements releasing the theatre of responsibility for injuries to one of them when she fell on a stairway.

Stunt By Theatres Buys an Iron Lung

Charlotte, N. C., Oct. 17.—The Broadway, Charlotte and Tryon theatres gave performances last Sunday at which funds were raised to purchase an iron lung for Charlotte. No admission charges were made, but those who attended the two performances at the three theatres during the afternoon joined in a free will offering in which they gave liberally to a fund sponsored by the "Iron Lung Chapter" of the Veterans of Foreign Wars. The lung already has been installed at the Mercy Hospital.

Radio Programs

"Calling America," a cooperatively sponsored show, will start over Mutual Sunday at 6:30 P. M. Approximately 12 stations will sponsor locally and the remainder of the network will carry it as a sustainer. Together with "The Show of the Week," a full hour of participation programs will be available. Pearson and Allen, Washington columnists, and Erno Rapee's orchestra will be heard. Pontiac Motors is sponsoring over WOR. . . .

Canada Dry has renewed "Information, Please" for an additional 52 weeks over 58 stations of NBC-Blue, starting Sunday, Nov. 14. J. M. Mathes, Inc., agency. . . . Quaker Oats is starting a test show, "We, the Wives, Quiz," over four NBC stations, WCAE, WTAM, WWJ, WMAQ. It will be heard Sundays at 1:30 starting Oct. 22. Benton & Bowles of Chicago is the agency.

Three new sustainers will be heard over CBS. Saturday nights at 10:15 P. M., "Concerts in Rhythm" will be heard with Raymond Scott and an enlarged orchestra. "Pursuit of Happiness" will follow the Philharmonic concerts at about 4:30 P. M. Sundays. It deals with the advantages of democracy.

Studio Unions Pick Name, Adopt Rules

HOLLYWOOD, Oct. 17.—Representatives of all except one A. F. of L. studio craft local met today to formally name their organization to "coordinate union activities" the Conference of A. F. of L. Studio Unions and set intramural rules and regulations of procedure. In the absence of William Bioff, temporary head who is in Chicago on personal business, Frank Stickling, I.A.T.S.E. representative, presided.

Warfront Broadcast

First of the warfront broadcasts was made yesterday by Arthur Mann, Mutual's correspondent, at 9:15 P. M. Mann made his talk at the front and it was transcribed on a portable recording outfit. The transcription was then flown to London and transmitted from there. WOR carried the talk an hour later.

Gordon Sees Films Wedded To Television

The next big trend in films will be toward farce comedy as a relief from war tension, Max Gordon, who has just completed production on "Abe Lincoln in Illinois" for RKO, predicted yesterday.

Production of expensive feature films will have to wait until the foreign market situation is alleviated but other productions can continue, Gordon declared.

Gordon was confident that the film would not adversely affect the road show of the Lincoln play which starts in Boston Monday with Raymond Massey in the lead. He declared that audiences who liked the film would want to see Massey in person.

A "wedding" of television with the films and legitimate stage is inevitable, according to Gordon, who acts in an advisory capacity for NBC television program department. He stated that the television medium carries the "feeling" of a play much more effectively than the motion picture.

Gordon plans to make two films a year for RKO. He may produce "Very Warm for May," which opens on Broadway shortly if negotiations with the authors are successful. He expressed satisfaction with current efforts to modify the basic agreement with the Dramatists Guild and stated that it would do much for both Broadway and the screen.

Gordon stated that his next production would be "The American Way" with Fredric March probably in the lead. He plans to start production within 60 days.

Newsreels in Final Wage Parley Soon

(Continued from page 1)

which Casey will handle Eastern labor matters.

Initial negotiations, conducted in Hollywood 10 days ago, resulted in granting of a 10 per cent wage increase to newsreel cameramen and adoption of a regulation by which newsreels are prohibited from exchanging lavenders except in instances where Governmental regulations prohibit the filming of an event by more than one camera crew.

Heretofore, reels have effected economies by covering routine events with a single crew and exchanging lavenders.

Six 4-A Officials Fight Whitehead Libel Suit

Application will be made today by Paul Dulzell, Emily Holt, Florence Marston, Paul Turner, Henry Jaffe and Frank Gillmore, 4-A officials, to the N. Y. Supreme Court to set aside notices to examine the applicants before trial in the $100,000 libel suit brought against them by Ralph Whitehead, executive secretary of A.F.A. Edward Arnold and Edward Harrison are also named defendants in the action, which charges the issuance of a libelous statement to the newspapers on Aug. 18 on Whitehead's activities as an A.F.A. official.

Circuit Chiefs To Premiere Of Para. Film

DETROIT, Oct. 17.—Prominent circuit operators, key city newspapermen and Hollywood stars will arrive here tomorrow and Thursday for the world premiere of Paramount's "Disputed Passage" at the Michigan Theatre Thursday night.

John Howard and Robert Preston head the Hollywood contingent, which will include J. Carrol Naish, Susan Hayward and Olympe Bradna. Dorothy Lamour will arrive Thursday morning.

Among the theatre executives and newspapermen arriving tomorrow are:

William Hollander, B. & K. Theatres, Chicago; Harry Browning, M. & P. Theatres, Boston; Donald Douglas, *Chicago Daily News;* A. S. Kany, *Dayton Herald;* Chuck Gay, *Dayton News;* William White, *Pitsburgh Press;* Herbert Graffis, *Chicago Times;* Buck Herzog, *Milwaukee Sentinel.*

Scheduled to arrive Thursday are:

Mr. and Mrs. John Balaban and Walter Immerman, Chicago; Allen Usher, Paramount, Chicago divison manager; Charles Winchell, Minnesota Amusement Co., Minneapolis; Joseph Feltman, Warners, Pittsburgh; Ralph Lawlor, Paramount Theatre, Toledo; Charles Kurtzman Loew's, Pittsburgh; John Herman, Paramount Newsreel cameraman from Cleveland.

Also Cedric Adams, *Minneapolis Star;* J. E. Campbell, *Argus Press,* Owosso; Harold Cohen, *Pittsburgh Post Gazette;* Harold Fitzgerald, *Pontiac Daily Press;* Jack Warfel, *Cleveland Press;* Karl Krug, *Pittsburgh Sun Telegraph;* Kap Monahan, *Pittsburgh Press;* Merle Potter, *Minneapolis Tribune;* Arthur Stace, *Ann Arbor Daily News;* Dave Silverman, *Minneapolis Star;* Jules Steele, *St. Paul Pioneer-Press;* L. A. Weil, *Port Huron Times-Herald;* M. Woodbury, *Toledo Blade;* John Healey, *Battle Creek Enquirer-News;* Bob Murphy, *Minneapolis Star;* Chester Morton, *Toledo Times;* R. R. Rafferty, *Wheeling News Register;* Marajen Stevick, *Champaign News-Gazette;* Wilson Keith, *Omaha World-Herald.*

Radio station representatives include G. F. Ashbacker, WKBZ, Muskegon; John E. Fetzer, WKZO, Kalamazoo, and Sandy Meek, WOOD and WASH, Grand Rapids.

Warners Granting Earlier Vacations

HOLLYWOOD, Oct. 17.—With eight of its 12 "B" pictures for the 1939-'40 season completed, Warners have begun granting to workers in the Bryan Foy division vacations which normally would be taken around the Christmas holiday period.

Completed "B" films carry the release schedule through March and the studio believes a later start for the remaining four for April, May and June release will make it possible to take advantage of intervening developments to assure closer conformity with prevailing market tastes. Foy will commence a long-deferred four-week vacation in about three weeks.

Garbo Film to Music Hall

"Ninochtka," Metro-Goldwyn-Mayer film starring Greta Garbo, will go into the Radio City Music Hall following "Mr. Smith Goes to Washington," which opens there Thursday. Ernst Lubitsch directed "Ninotchka." "Babes in Arms" will be shown at the Capitol at the same time as "Ninochtka" appears at the Music Hall.

New York Review

"The Kansas Terrors"

(Republic)

Here is another western, with all the riding, shooting and scrapping that western action fans like, the only difference being that the setting is a fictitious island somewhere in the Caribbean Sea. The pattern is complete, even to the desperado, in the person of the commandante of the island, who terrorizes the natives, amassing a fortune by the collection of exorbitant taxes.

The Three Mesquiteers, comprising Robert Livingston, Raymond Hatton and Duncan Renaldo, are the joint heroes of the piece, while Jacqueline Wells takes care of the romance and "beauty in distress" element of the plot. George Douglas is the unscrupulous commandante.

Livingston and Hatton are a pair of Kansas cowboys convoying a shipment of horses to Douglas' men, and Renaldo is the Robin Hood of the island, raiding Douglas' men and doing his best to protect the natives. Actively, and in satisfactorily exciting fashion, the three dispose of the real bandits in the case.

George Sherman directed from a screenplay by Jack Natteford and Betty Burbridge and an original story by Lucy Ward.

Running time, 57 minutes. "G." CHARLES S. AARONSON

**"G" denotes general classification.*

Politician Accused At Extortion Trial

ST. LOUIS, Oct. 17.—Fred Wehrenberg, owner of a chain of South Side theatres here and head of the Motion Picture Theatre Owners of St. Louis, testified today State Representative Edward M. Brady dickered with exhibitors in 1936 and persuaded them to raise $10,000 on the promise that John P. Nick, deposed boss of theatrical unions here, would forestall wage increase demands. Wehrenberg was a witness in the extortion trial of Nick.

Brady, who has been jointly indicted with Nick, said he represented a mysterious "airplane man," who, in turn, was acting for George Browne, I.A. T.S.E. president, during the negotiations, according to Wehrenberg.

Envoy to Hollywood For Humane Society

ALBANY, Oct. 17.—Richard C. Craven of Albany, who has been actively engaged in animal humane work for the past 25 years, will go to Hollywood to work permanently with the producers in preventing abuse to animals used in picture scenes. He has been appointed western regional director by the American Humane Society. At its national convention in September, the Society protested what it called inhumane treatment of animals used in films.

Wilcox Will Produce "Irene" in Hollywood

Having been advised by the British government that he may remain in America until his services are needed in England, Producer Herbert Wilcox yesterday announced that he will direct "Irene" with Anna Neagle starring, producing it in Hollywood.

Cinema Club Party Set

KANSAS CITY, Oct. 17.—The Cinema Club, young film men's organization sponsored by the Variety Club, will have its first social function of the season, a Hallowe'en party, Oct. 31 at the Variety Club rooms. In charge of the affair are Martin Stone, Joe Lysowski and Nelson Burrus.

Warners Resume Duals in Cleveland

CLEVELAND, Oct. 17.—Double features will return to Cleveland's Playhouse Square Friday with the reopening of Warner Brothers' Lake, according to Nat Wolf, zone manager.

The dual first run showings follow the policy the Lake formerly had. Edward Miller, now manager of Warners' Hippodrome, will supervise the house, and resident manager will be Irving Rubin from the Colony in suburban Shaker Heights.

Newsreel Parade

Considerable decrease in war coverage is in evidence in this newsreel issue. The reels and their contents follow:

MOVIETONE NEWS, No. 11—Debris in Poland. Funeral for German general. German and Soviet armies meet in Poland. Hitler in Danzig. U. S. guns on display. Fashions. Auto show opens. Football: Army vs. Columbia, Pittsburgh vs. Duke, Yale vs. Pennsylvania.

NEWS OF THE DAY, No. 209—Army weapons displayed in Maryland. Nazi and Russian troops meet in Poland. New York hails airport opening. Pittsburgh vs. Duke and Army vs. Columbia, football.

PARAMOUNT NEWS, No. 14—Poles parade in New York. Dedication of North Beach airport. School bus crashes. Lou Gehrig takes oath as parole board member. Auto show in New York. Demonstration of army guns at Aberdeen. Columbia vs. Army and Pittsburgh vs. Duke, football.

RKO PATHE NEWS, No. 26—Ordnance Day in Maryland. North Beach airport opens. Gehrig appointed to parole board. Notre Dame vs. S. M. U., and Pittsburgh vs. Duke, football.

UNIVERSAL NEWSREEL, No. 15—Army tests new guns. Airport dedicated. Loafers and workers separated in South. Auto show. Polish parade in New York. U. S. C. vs. Illinois, Pittsburgh vs. Duke, Notre Dame vs. S. M. U., football.

Two Titles Changed

HOLLYWOOD, Oct. 17.—Paramount has changed the title of the Harry Sherman "Hopalong Cassidy," previously called "Gun Chores," to "Four Aces," and 20th Century-Fox has changed the title of "Jubilo," which will co-star Jane Withers and Gene Autry, to "Shooting High."



WARNER'S STRAND IN ALBANY HITS BIGGEST FOUR-DAY GROSS REACHED BY ANY U. A. RELEASE IN 18 MONTHS AS INGRID BERGMAN, THE YEAR'S MOST EXCITING NEW STAR, BECOMES THE TALK OF THE TOWN!



Selznick International presents

LESLIE HOWARD

STAR OF "PYGMALION"

in

INTERMEZZO
A Love Story

INTRODUCING

INGRID BERGMAN

Produced by DAVID O. SELZNICK • Directed by GREGORY RATOFF
Associate Producer LESLIE HOWARD · Screenplay by George O'Neil
From the original scenario by Gosta Stevens and Gustav Molander

RELEASED THRU UNITED ARTISTS

RADIO CITY MUSIC HALL REPORTS FIRST FOUR DAYS OF SECOND WEEK BIGGER THAN FIRST FOUR DAYS OF FIRST WEEK, CONFIRMING THE BOX-OFFICE IMPORTANCE OF INGRID BERGMAN'S DEBUT WHICH THE NEW YORK TIMES CALLS "ONE OF THE MOST DELIGHTFUL THINGS OF THE SEASON!"

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 16. NO. 77 NEW YORK, THURSDAY, OCTOBER 19, 1939 TEN CENTS

Jones, Kalmus Given Awards By Engineers

Scientists Will Hold Final Sessions Today

Dr. L. A. Jones, chief physicist for Eastman Kodak laboratories since 1916, was awarded the Society of Motion Picture Engineers Progress Medal at the semi-annual banquet and dance at the Hotel Pennsylvania last night. Dr. Herbert T. Kalmus, Technicolor president, won the Journal Award.

Dr. Jones, who won the Journal award in 1935, was cited for "the outstanding character of his scientific researches in the field of photography with particular reference to his investigations of sensitometric procedures; his study of photographic processes; his contribution to precision in photographic terminology; and his determinations of the criteria of pictorial excellence achieved by photographic processes."

Dr. Kalmus, who won the Progress Medal last year, received the Journal Award for "Technicolor Adventures in

(*Continued on page 7*)

Mistrial Declared In Extortion Case

St. Louis, Mo., Oct. 18.—A mistrial was declared today in the case of John P. Nick, former boss of the movie operators' union here, who is charged with extorting $10,000 from theatre owners in 1936, because a juror talked with a state's witness. The trial was reset for Nov. 6.

Circuit Judge Robert L. Aronson said the mistrial was on his own motion as he had been informed by Clarence Groeteke, a state's witness, that Juror Robert W. Cox discussed the case with Groeteke last night. Jur-

(*Continued on page 4*)

Irving Trust Makes RKO Report Today

Semi-annual report of Irving Trust Co. as RKO trustee will be filed in U. S. District Court here today.

Among other things, the report will disclose consolidated loss of less than $100,000 for the first six months of the current year for the parent company. Theatre earnings for the period maintained a healthy pace, however, with net of Keith-Albee-Orpheum Corp. being at the rate of around $1,000,000 for the calendar year.

Drama Guild's Pact Up for Vote Nov. 6

Modifications to the Dramatists Guild basic agreement will be placed before the Guild membership for approval at the annual meeting Nov. 6. Approval by the legitimate stage producers, which is also required, will be sought before the meeting date.

The Guild has 565 active members and 1,687 associate members. They will be permitted to vote by mail, by proxy or in person. If adopted, the modifications will offer an alternative plan whereby film backers may purchase film rights to plays prior to production.

Detroit Is All Set For Para. Opening

Detroit, Oct. 18.—Preparations were completed here tonight for the world premiere at the Michigan Theatre of Paramount's "Disputed Passage" tomorrow evening.

Festivities began today with the arrival of stars from Hollywood. Attending the opening will be theatre circuit executives from many cities in the Midwest and newspaper and magazine representatives from various cities, as guests of Paramount. A preview of the 1940 model automo-

(*Continued on page 8*)

Radtke to Appeal Tri-Ergon Ruling On Sound Patent

Radtke Patents Corp. will appeal from the Washington District court decision of last week upholding in two respects the validity of a photo-electric cell patent application to Hans Vogt, assignor to American Tri-Ergon Corp., according to Leonard Day, Radtke representative here.

Day minimized the significance of the decision, declaring that it involves "only two broad claims out of 83" which figure in the litigation. The decision considered four claims in all, he said, and found that two infringed the Vogt-Tri-Ergon patent application, while the other two did not.

Day pointed out that although the

(*Continued on page 4*)

Retention of British Quota Is Demanded

London, Oct. 18.—British producers and labor union representatives met today with members of Parliament and renewed their demands that the British distributor and exhibitor quotas be retained by the Government.

New pleas were made for the abolition of restrictions on blind and advance booking, and for the institution of 12-month registration periods, on the ground such a move would stimulate film financing.

Luminous Paint Solves London Blackout Woes

By AUBREY FLANAGAN

London, Oct. 5 (By Mail).—Luminous paint used to pick out publicity displays, to illuminate vestibules, and even to decorate ushers, may help British picture houses solve one of the blackout problems.

At the Regal, Marble Arch, and the Scala, Croydon, experiments have been carried out with the device and have been so successful that other houses, notably in the West End, are likely to follow suit. Posters, banner announcements and publicity displays, picked out in a luminous paint, it is claimed, have made the theatre visible a quarter of a mile away. The light is said to be invisible from the air.

The luminous paint has also been used to guide patrons by means of direction lines to the darkened houses.

Edinburgh, Scotland, has informed exhibitors that they will not receive any relief from rates owing to the blackout or other wartime restrictions.

Film houses in Northern Ireland are unaffected by the blackout and are remaining open as usual.

For the purpose of supplying 16 mm. film programs to "blackout parties" in camps, village halls, evacuée canteens, etc., a new company—Mobile Movies—has been launched in London. The company supplies a two-hour program of films, with an expert operator, within a radius of 50 miles of London.

A Bristol house, the Embassy, is to be used as a church during the Winter months of the War. Some 24 churches, of various denominations, locally have decided to abandon Sunday evening services owing to the lighting restrictions, and instead will hold a combined service at the Em-

(*Continued on page 6*)

Czech Films Suffer Stern Rule by Nazis

Jews, Non-Aryans Barred from All Trade Roles

By HARRY KNOPF

Prague, Sept. 30 (*By Mail*).—A complete change has overtaken the film industry in this Protectorate of Bohemia-Moravia, formerly the independent republic of Czechoslovakia, sinc the Nazi coup of last March.

The Reich Government has appointed H. Glessgen as special supervisor in charge of film activities, responsible to Baron von Gregory, who is in charge of the cultural affairs of the protectorate.

Ban on Jews, Non-Aryans

In line with the German method, all Jews and other non-Aryans have been eliminated from every phase of the industry. Glessgen appointed Karl Schultz as head of the largest studio here, the Barrandov Studio, and the plant, one of the largest and best equipped in middle Europe, is being devoted entirely to the production of Nazi films.

Some Czech films are being produced at the FOJO Studio and the BAPOZ-HOSTIVAR plant. Production in the Czech language will be increased to 40-45 films this season, according to production announcements.

The Nazis' "Aryanization" of the

(*Continued on page 6*)

Allied Undecided On N.Y. State Unit

Whether National Allied will continue its efforts to obtain an affiliated organization in New York State depends "on conditions as they develop," said Col. H. A. Cole, national president, here yesterday.

Col. Cole was one of the speakers at a "rump" meeting of Allied Theatre Owners of New York members Tuesday in Syracuse which was called by E. Thornton Kelly to determine whether the members want to affiliate with National Allied. No action was taken on this.

After a talk by Col. Cole and Sidney Samuelson, National Allied leader, the Syracuse meeting upheld Kelly's election as executive secretary. A motion was adopted directing Kelly to ask Cohen for the books and records of the organization.

Col. Cole said that about 50 theatres

(*Continued on page 6*)

SAG Probes Casting Office 'Favoritisms'

HOLLYWOOD, Oct. 18.—Charges of favoritism, "payoffs" to get jobs and other irregularities in the distribution of work which have been made since the present system of extra employment has been in practice are being investigated by the Screen Actors Guild which today asked its members to report such information.

A statement by Ralph Morgan, president, said in part:

"SAG is attempting to clear up definitely long current and persistent rumors of payoffs, favoritism and other irregularities in Central Casting's distribution of work. Film extras have made general complaints that 'favorites' of Central get best and most frequent work calls. Complaints have been accompanied by assertions that it is necessary to make payoffs or to give gratuities in order to become a 'favored' extra.

"If there is basis for these charges the Guild will insist on a housecleaning wherever guilt lies. If there is no basis for these charges, Central Casting and its staff are entitled to have ugly rumors set at rest."

20th-Fox Names Taylor

LONDON, Oct. 18.—Buchanan Taylor, recently publicity director of the Lyons Restaurant and Hotel here, has been appointed publicity director of 20th Century-Fox in England, pending the return to his post of Roy Simmonds, who is ill.



PROUD WORDS:

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Distinguished overnight sleeper and scenic daylight flights to LOS ANGELES. The Continental, leave 5:45 pm, and "The Overland Flyer," leave 9:45 pm. Finest meals aloft. Call travel agents, hotels, or

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Purely Personal

MR. and MRS. LOUIS NIZER, recently married, are at home at 180 W. 58th St.

•

DICK POWELL arrives tomorrow morning by train from Washington, where he had stopped over en route from the Coast. He will make a personal appearance at the Paramount next week in connection with the film "Disputed Passage."

•

The EARL OF WARWICK, film player, has left for England to enlist in the Government service. He has been living in Hollywood.

•

SOL WURTZEL, 20th Century-Fox associate producer, will remain here about 10 days on a vacation.

•

MILTON GURIAN, Monogram salesman in Cincinnati, is the father of a boy, the couple's first child.

•

DAVE BADER, Hollywood agent, is returning to the Coast after a three weeks' New York stay.

•

GENE AUTRY, Republic player, flies to Dallas today via American Airlines after a New York visit.

•

JOHN D. HERTZ, JR., goes to the Coast today.

•

JOSEPH M. SCHENCK, chairman of the board of 20th Century-Fox, has a plane reservation to leave next Monday or Tuesday for the Coast.

•

JOSEPH MOSKOWITZ, J. J. MILSTEIN, JACK WARNER, JR., MEL SHAUER, MURRAY SILVERSTONE, MONROE GREENTHAL, GEORGE WEST, W. RAY JOHNSTON and HARRY THOMAS at BOB GOLDSTEIN'S TAVERN for lunch yesterday.

•

LOUIS D. FROHLICH and HERMAN FINKELSTEIN of Schwartz & Frohlich, Ascap counsel, are due back in New York from Jacksonville, Fla., this week end.

•

BOB GILLHAM leaves today for Albany, Georgia, to prepare a campaign on the new Jack Moss picture which is on location.

•

SAM PINANSKI and MARTIN MULLIN are in New York from Boston for Paramount home office conferences.

•

MEYER BECK, Eastern representative of Russell Birdwell Associates, returns this week from Washington.

•

EARLE W. HAMMONS, Educational-Grand National president, is in Washington on business.

Safety Council Prize Goes to Metro Short

Annual film award of the National Safety Council was presented to M-G-M at the organization's annual congress in Atlantic City last night. The award was given for "Drunk Driving," two-reel film, as the picture which most encouraged safe driving during the year. Art Schmidt of Loew's publicity department accepted the trophy for the company. The award was by the Council's Film Traffic Safety Committee.

Warners 4 Months Ahead of Schedule

HOLLYWOOD, Oct. 18.—The Warner Burbank Studios are four months ahead of production schedule with fourteen features completed and awaiting release. The studio has operated at an enlarged capacity and it is estimated that by Jan. 1, the rest of the 1939-40 product will either be in production or in preparation for early shooting.

Names Allied Board

NEW HAVEN, Oct. 18.—At a special meeting yesterday, Dr. J. B. Fishman, newly-elected chairman of the board of directors of Allied Theatres of Connecticut, and Maurice Shulman, vice-chairman, named board members as follows: Maurice Bailey, Harry Lavietes, Samuel Hadelman, Morris Jacobson, Charles Repass, Jack Schwartz, George Comden and Leo Schapiro.

Ampa Meets Today

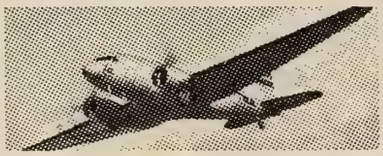
Ampa members today will be given an insight into propaganda and news censorship as practiced by belligerent nations by Johannes Steel, WMCA news commentator, at the organization's luncheon meeting today at Stouffer's restaurant, Fifth Ave. at 44th St. The meeting has been called for 12:45 o'clock.

Loew's, Inc., Dividend

Directors of Loew's, Inc., at an adjourned board meeting yesterday, declared a quarterly dividend of $1.62½ a share on the preferred stock, payable Nov. 15 to stockholders of record Oct. 27.

FLY TO THE GOLDEN GATE!

VIA GRAND CANYON BOULDER DAM!



Less than a Day—By TWA!

Double your fun—when you travel to the San Francisco Fair! Fly TWA, and see Grand Canyon and Boulder Dam—2 scenic thrills you mustn't miss!

Only TWA offers you such a trip! Latest departure from New York—allows full evening at home.

LOS ANGELES or SAN FRANCISCO—*Overnight* via Skysleeper! Board TWA's "Sky Chief" 5:30 p.m.—arrive Los Angeles early next morning . . . in San Francisco at 9:45 a.m.

"It Pays to Fly"

PHONE TRAVEL AGENT or MU 6-1640
TRANSCONTINENTAL & WESTERN AIR, INC.
70 E. 42nd St. . . . Air Desk, Penn. Station

FARE ONLY $149.95

10% Discount on Round Trips!

TWA

SHORTEST, FASTEST COAST-TO-COAST

Via Subway

Interview Eddie Cantor Straphanger Style

Tired of living under Manhattan's shadow, Brooklyn finally has arranged for a celebrity's arrival within its own borders. Until now all celebrities who travel to New York by rail, arrive in Manhattan, at the Grand Central Station or at the Pennsylvania Station. Today, however, Eddie Cantor will arrive in Brooklyn, via the I. R. T., and in honor of the occasion, Brooklyn has proclaimed something of a holiday. It is to be a gala event.

Promptly at 9:30 this morning newsmen and camera lads will meet the comedian in the I. R. T. Subway Station at Bowling Green, and there will interview and photograph him by the straphanger route, in full view of passengers. At the Borough Hall Station, in Brooklyn, Brooklyn dignitaries in toppers and striped trousers will welcome him officially. A luncheon in his honor at the Hotel Bossert will follow and Cantor will leave shortly afterwards to begin a personal appearance engagement at Loew's Metropolitan.

Grainger Closes 2 Deals at Pittsburgh

PITTSBURGH, Oct. 18.—James R. Grainger, Republic president, here today closed with the Harris Theatre Circuit and the Pittsburgh division of Warner Theatres for Republic's new season product. James H. Alexander, Republic franchise holder, and Sam Fineberg, branch manager, assisted Grainger, with John H. Harris and Harry Kalmine, Warners zone managers, and Harry Finstein of Warners acting for their circuits.

Blumberg and Stahl To Talk on Contract

Nate J. Blumberg, Universal president, will confer with John M. Stahl, producer, who was relieved of his Universal contract this week at his own request, when Stahl arrives in New York from the Coast next week. The producer's contract would have expired in December. Blumberg declined to commit himself on the possibility of a new deal with Stahl.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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THERE'LL BE MORE 'ANGELS' Right Away!



WORD-PICTURE

It's America at its maddest! America at its merriest! Land of the free gone wild! Hey-day of the hotcha —the shock-crammed days G-Men took ten whole years to lick!

ACTION? *No picture ever had more!!!!*

Biggest of all the Cagney smashes from WARNER BROS.

JAMES CAGNEY and PRISCILLA LANE in "THE ROARING TWENTIES"



By Mark Hellinger, with

HUMPHREY BOGART · GLADYS GEORGE · JEFFREY LYNN

FRANK McHUGH · PAUL KELLY · Directed by RAOUL WALSH

Screen Play by Jerry Wald, Richard Macaulay and Robert Rossen

JACK L. WARNER *In Charge of Production* · HAL B. WALLIS *Executive Producer* · SAMUEL BISCHOFF *Associate Producer*

'Rains Came' Loop Smash With $45,700

CHICAGO, Oct. 18. — "The Rains Came" at the Chicago was excellent with $43,700. "Coast Guard" plus a stage show at the State-Lake drew $15,500. The weather was fair.

Estimated takings for the week ending Oct. 11-Oct. 14:

"The Old Maid" (W. B.)
APOLLO — (1,400) (25c-55c-75c) 7 days. Gross: $4,900. (Average, $8,000)
"The Rains Came" (20th-Fox)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Vaudeville Revue. Gross: $45,700. (Average, $32,000)
"All Quit on the Western Front" (Univ.)
"Night Work" (Para.)
GARRICK — (900) (35c-40c-65c) 7 days. Gross: $5,400. (Average, $5,000)
"Stanley and Livingstone" (20th-Fox)
"Lady of the Tropics" (M-G-M)
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $14,600. (Average, $13,000)
"Nurse Edith Cavell" (RKO)
PALACE — (2,500) (35c-55c-75c) 7 days. Stage: Vaudeville Revue. Gross: $17,800. (Average, $18,000)
"Dust Be My Destiny" (W. B.)
ROOSEVELT—(1,300) (35c-55c-75c) 7 days, 2nd week. Gross: $7,800. (Average, $11,000)
"Coast Guard" (Col.)
STATE-LAKE — (2,700) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $15,500. (Average, $12,000)
"The Women" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 4th week. Gross: $10,200. (Average, $14,000)

$11,000 Cleveland Gross on 'Avenue'

CLEVELAND, Oct. 18.—"Fifth Avenue Girl" at Warners' Hippodrome made the best showing here, taking $11,000.

Estimated takings for the week ending Oct. 12:

"The Rains Came" (20th-Fox)
ALLEN—(3,000) (30c-35c-42c) 7 days, 3rd week. Gross: $3,500. (Average, $4,000)
"Fifth Avenue Girl" (RKO)
WARNER'S HIPPODROME—(3,800) (30c-35c-42c) 7 days. Gross: $11,000. (Average, $11,000)
"Dust Be My Destiny" (W. B.)
RKO PALACE—(3,100) (30c-42c-55c) 7 days. Stage show. Gross: $12,000. (Average, $14,000)
"Intermezzo" (U. A.)
LOEW'S STATE—(3,500) (30c-35c-42c) 7 days. Gross: $10,000. (Average, $11,000)
"They Shall Have Music" (U. A.)
LOEW'S STILLMAN—(1,900) (30c-35c-42c) 7 days. Gross: $3,500. (Average, $4,000)

'Oz' Is Montreal Hit, Takes $10,300

MONTREAL, Oct. 18.—"The Wizard of Oz" took $10,300 in its second week at Loew's. "Honeymoon in Bali" grossed $8,500 at the Palace.

Estimated takings for the week ending Oct. 13:

"Golden Boy" (Col.)
"Woman Is the Judge" (Col.)
CAPITOL — (2,547) (25c-40c-55c-65c) 7 days. Gross: $4,000. (Average, $8,000)
"Moonlight Sonata" (Empire)
HIS MAJESTY'S—(1,700) (35c-60c) 7 days. Gross: $2,000. (Average, $2,000)
"The Wizard of Oz" (M-G-M)
LOEW'S—(2,800) (30c-40c-60c) 7 days, 2nd week. Gross: $10,300. (Average, $8,000)
"The Man in the Iron Mask" (U. A.)
ORPHEUM—(919) (25c-35c-50c) 7 days, 2nd week. Gross: $4,000. (Average, $5,000)
"Honeymoon In Bali" (Para.)
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $8,500. (Average, $10,000)
"The Man They Could Not Hang" (Col.)
"Blondie Takes A Vacation" (Col.)
PRINCESS — (2,272) (25c-35c-50c-65c) 7 days. Gross $3,800. (Average, $6,500)

'Old Maid' Leads Buffalo Box Offices, Biggest in Months

BUFFALO, Oct. 18.—"The Old Maid" led with $6,200 at the Buffalo in one of the healthiest weeks in several months. "The Women" and "Nurse Edith Cavell," in the second week, grossed $12,400 and $7,000 at the Great Lakes and Twentieth Century, respectively.

Estimated takings for the week ending Oct. 14:

"The Old Maid" (W. B.)
BUFFALO—(3,000) (30c-35c-55c) 7 days. Gross: $16,200. (Average, $12,000)
"The Woen" (M-G-M)
"Conspiracy" (RKO)
GREAT LAKES—(3,000) (30c-50c) 7 days, 2nd week. Gross: $12,400. (Average, $7,500)
"$1,000 Touchdown" (Para.)
"Adventures of Sherlock Holmes" (20th-Fox)
HIPPODROME—(2,500) (25c-35c) 7 days. Gross: $5,900. (Average, $6,800)
"Nurse Edith Cavell" (RKO)
"The Day the Bookies Wept" (RKO)
TWENTIETH CENTURY—(3,500) (25c-35c) 6 days, 2nd week. Gross: $7,000. (Average, $5,200)
"U-Boat 29" (Col.)
"Five Little Peppers" (Col.)
LAFAYETTE—(3,300) (25c-35c) 7 days. Gross: $8,300. (Average, $6,300)

'Honeymoon' $5,000 Milwaukee Leader

MILWAUKEE, Oct. 18. — "Honeymoon in Bali" and "Coast Guard" were the best grossers with $5,000 at Fox's Palace.

Estimated takings for the week ending Oct. 11-12:

"Espionage Agent" (W. B.)
"The Under-Pup" (Univ.)
WARNER—(2,400) (25c-35c-50c) 6 days. Gross: $4,000. (Average, $4,500)
"Honeymoon in Bali" (Para.)
"Coast Guard" (Col.)
PALACE—(2,400) (25c-35c-50c) 7 days. Gross: $5,000. (Average, $4,000)
"Calling All Marines" (Rep.)
RIVERSIDE—(2,700) (25c-30c) 7 days. Stage: Henry Armetta. Gross: $7,300. (Average, $6,500)
"The Rains Came" (20th-Fox)
"Unexpected Father" (Univ.)
STRAND—(1,400) (25c-35c-50c) 7 days. Gross: $1,800. (Average, $1,500)
"The Women" (M-G-M)
"Miracles for Sale" (M-G-M)
WISCONSIN—(3,200) (25c-35c-50c) 7 days, 2nd week. Gross: $5,000. (Average, $5,500)

'Real Glory' Takes $7,000, New Haven

NEW HAVEN, Oct. 18.—"The Real Glory" and "Hawaiian Nights" drew $7,000 at the Roger Sherman. "Golden Boy" and "Fast and Furious" at Loew-Poli grossed $8,600.

Estimated takings for the week ending Oct. 13:

"All Quiet on the Western Front" (Univ.)
"Five Little Peppers" (Col.)
COLLEGE—(1,499) (25c-35c) 7 days. Gross: $3,000. (Average, $2,700)
"Golden Boy" (Col.)
"Fast and Furious" (M-G-M)
LOEW-POLI — (3,040) (35c-50c) 7 days. Gross: $8,600. (Average, $8,000)
"$1,000 Touchdown" (Para.)
"Island of Lost Men" (Para.)
PARAMOUNT—(2,348) (35c-50c) 6 days. Gross: $3,300. (Average, $4,000)
"The Real Glory" (U. A.)
"Hawaiian Nights" (Univ.)
ROGER SHERMAN — (2,200) (35c-50c) 7 days. Gross: $7,000. (Average, $5,000)

Miller Speaks Sunday

Neville Miller, president of National Association of Broadcasters, will speak over CBS Sunday at 1:35 P. M. on "The Code Preserves Free Speech."

Music Hall Plans Television Antenna

Radio City Music Hall is making plans for a special antenna atop the theatre building for the reception of television programs on sets in the foyer or lounges. Plans are to install two receivers. Rockefeller Center, Inc., engineers are cooperating. Antenna will probably be built by RCA.

Mistrial Declared In Extortion Case

(*Continued from page* 1)

ors were permitted to go home the first two nights of the trial, but were repeatedly admonished by the court not to discuss the trial nor read newspaper accounts of it.

Groeteke, according to Judge Aronson, said Cox approached him last night at the Webster Theatre, of which he (Groeteke) is part owner, and expressed the opinion, "there isn't much of a case, and between you and me there is not much evidence."

Witnesses had previously testified that Edward M. Brady, who was jointly indicted with Nick but who has been granted a separate trial, had negotiated the deal for the $10,000 to forestall an increase of wages by the operator's union, of which Nick was the head at that time.

Radtke Will Appeal Tri-Ergon Decision

(*Continued from page* 1)

District court's order directed the Commissioner of Patents to issue a patent to Vogt, such orders are not compulsory as a mandamus can not be obtained against the Commissioner.

"Since we are appealing from the decision," he added, "no patent will be issued at this time."

Ward, Crosby & Neal, patent attorneys for American Tri-Ergon, which is controlled by members of the William Fox family, declined to comment on the decision, explaining that it "was a matter of policy" not to discuss pending litigation.

'U' Sales Managers Meet in East, West

Universal's Eastern and Western sales managers leave New York today for sales meetings in their respective territories.

F. J. A. McCarthy, Eastern sales manager, heads for Charlotte, N. C., and then to Atlanta, Memphis and Nashville.

William J. Heineman, Western sales manager, is scheduled for meetings beginning in Minneapolis on Friday, Omaha on Saturday, Kansas City on Sunday and the final session in St. Louis on Monday.

M.P.P.D.A. Drops Two

Dr. James B. Wingate of the title registration department of the M.P.P.D.A. and Vincent Hart of the Eastern Production Code Administration office will end their association with the organization Nov. 3, as a result of the M.P.P.D.A.'s economy program. No other dismissals are in view at this time, it was stated.

'Cavalcade's' Gross is Best At Cincinnat

CINCINNATI, Oct. 18.—"Hollywoo Cavalcade" led the town with a $13 500 gross at the RKO Palac "The Under-Pup" on the scre John Boles and acts on the RKO Sh bert stage brought $13,250.

Estimated takings for the week en ing Oct. 11-14:

"Here I Am a Stranger" (20th-Fox)
RKO ALBEE—(3,300) (35c-42c) 7 da Gross: $10,500. (Average, $12,000)
"Hollywood Cavalcade" (20th-Fox)
RKO PALACE—(2,700) (35c-42c) 7 da Gross: $13,500. (Average, $10,000)
"The Under-Pup" (Univ.)
RKO SHUBERT—(2,150) (40c-60c) days. Stage: John Boles and acts. Gros $13,300. (Average, $10,000)
"Dancing Co-Eds" (M-G-M)
RKO CAPITOL—(2,000) (35c-42c) 7 da Gross: $3,800. (Average, $6,500)
"Honeymoon in Bali" (Para.)
RKO LYRIC—(1,400) (25c-40c) 7 days, 2n run. Gross: $4,000. (Average, $5,000)
"Those High Grey Walls" (Col.)
"Calling All Marines" (Republic)
RKO FAMILY—(1,000) (15c-25c) 4 da Gross: $1,100. (Average, $1,500)
"News Is Made at Night" (20th-Fox)
"Jones Family in Quick Millions" (20th Fox)
"The Angels Wash Their Faces" (W. B
KEITH'S—(1,500) (30c-40c) 7 da Gross: $5,100. (Average, $6,000)

'Maid' at $9,300 In Indianapoli

INDIANAPOLIS, Oct. 18.—"The O Maid" was strong at the Indiana wit $9,300. Ozzie Nelson's band and "I dianapolis Speedway" gave the Lyri $12,400.

Estimated takings for the week end ing Oct. 12-13:

"Full Confession" (RKO)
"$1,000 Touchdown" (Para.)
APOLLO — (1,100) (25c-40c) 7 day Gross: $2,400. (Average, $2,500)
"All Quiet on the Western Front" (Univ.)
"The Under-Pup" (Univ.)
CIRCLE — (2,800) (25c-40c) 7 day Gross: $5,200. (Average, $6,000)
"The Old Maid" (W. B.)
INDIANA — (3,200) (25c-40c) 7 day Gross: $9,300. (Average, $5,000)
"Golden Boy" (Col.)
"U-Boat 29" (M-G-M)
LOEW'S — (2,800) (25c-40c) 7 day Gross: $5,900. (Average, $7,000)
"Indianapolis Speedway" (W. B.)
LYRIC—(2,000) (25c-40c) 7 days. Stag Ozzie Nelson band and show. Gross: $12 400. (Average, $8,000)

New Coast Theatre Conference Elects

LOS ANGELES, Oct. 18.—The firs meeting of the trustees of the Pacifi Coast Conference of Independent The atre Owners today elected Robert H Poole as executive secretary an Hugh Bruen as treasurer. Headquar ters of the conference, in which I.T.O of Southern California, I.T.O. o Northern California and Motion Pic ture Theatre Owners of Pacifi Northwest will participate, will be i Los Angeles.

Trustees R. Harvey, Fred Mercy Jr., William Ripley, Bruen and Jack Y. Berman issued a statement that the conference would "be subject to calls of its constituent members to conciliate and protect each member against dis crimination and unfair clearances and zonings, unfair selling practices, un ethical competition, non-theatrical com petition and other injustices that might arise."

WHEN BEST



Lloyd C. Douglas, author of "Magnificent Obsession," "Green Light" writes his best selling novel, "Disputed Passage."

SELLERS



Frank Borzage, of "A Farewell to Arms" and "Seventh Heaven" fame, produces and directs Paramount's "Disputed Passage," starring Dorothy Lamour, Akim Tamiroff and John Howard.

Paramount's "DISPUTED PASSAGE"
"Absorbing entertainment . . . a best seller read by millions. Entire cast exceptionally fine with Tamiroff giving a performance that will long be remembered."—*Showmen's Trade Review*

Paramount's "DISPUTED PASSAGE"
"Really one of the fine pictures of the year. Frank Borzage has given a flawless job of direction. Top acting honors must be justly divided by the three principals." —*Joe Blair, Hollywood Motion Picture Review*

Paramount's "DISPUTED PASSAGE"
"Deservedly takes its place in the fore rank with the other screenings of Lloyd Douglas's novels. Akim Tamiroff is magnificent. John Howard gives what is easily his best performance to date and Dorothy Lamour, too, is at her best." —*Hollywood Reporter*

Paramount's "DISPUTED PASSAGE"
"Paramount has brought the popular best seller to pictures with all of its force intact."
—*Dorothy Manners, Los Angeles Examiner*

Paramount's "DISPUTED PASSAGE"
"Will probably score a large hit. Miss Lamour's beauty is a radiant facet of her role. 'Disputed Passage' commands attention."
—*Edwin Schallert, Los Angeles Times*

"Paramount's 'DISPUTED PASSAGE'
is in the best tradition of both Lloyd C. Douglas, whose name is synonymous with fine literary endeavor, and Frank Borzage, who has accounted for some of the screen's most notable efforts. Tamiroff's characterization another long step upward in a career ascending by leaps and bounds. Howard's best performance. Miss Lamour commendable in first real dramatic role." —*Motion Picture Daily*

Paramount Pictures

GET TOGETHER

...It's Always Box Office Weather!

Czech Films Suffer Stern Rule by Nazis

(*Continued from page* 1)

industry led to the replacement of the manager of virtually every American film company branch in the protectorate with Czechs.

No Exportation of Money

However, despite a measure of business, there is no way to export money from the protectorate. All film companies and theatres formerly owned by Jews have been taken over by Aryans. Others are managed by appointed commissioners. Among them is the Bio Broadway, owned by M-G-M.

RKO, M-G-M, United Artists, Paramount, 20th Century-Fox and Universal are represented here. With a lack of communication with Paris branches, American offices here have no knowledge concerning the flow of product, and there is some doubt that they will be able much longer to continue to supply product.

U. S. Has Nazi Competition

Up to this time, the only competition faced by American product is German, since all French and English films are banned. Italian product is due for a considerable increase in playing time in the near future.

In connection with American product, the Nazis have published lists of films prohibited for one reason or another, chiefly because someone connected with each film, either as player, director or the like, is non-Aryan. Particularly *personae non gratae* are the Marx Brothers, Luise Rainer, Peter Lorre and the Ritz Brothers, among others.

All Jews and non-Aryans have been banned from all film houses in the entire protectorate since early in September. Every theatre carries a sign to that effect, as do all cafes and restaurants.

Prices Are Restricted

The Exhibitors Central Union has issued strict instructions that every theatre must charge not less than the equivalent of seven cents. Programs must start with the newsreel, to be followed by a culture film (this may be omitted if the feature runs more than 2,600 meters), followed by the feature. Double features are prohibited. In Prague and Bruenn, key cities, first and second runs may show only two Czech features in any one week.

To increase production, the Film Advisory Board of the Ministry of Commerce has devised a plan for a subsidy of 200,000 crowns (about $7,000) for every film approved by the board. If it is of unusual quality, an additional 100,000 crowns will be given.

All foreign films must carry superimposed dialogue translations in Czech and German.

Of eight pictures imported in August, five were German, two were American and one Italian. From January to July 1939, 39 were German, 54 American and one Italian, while from January to July, 1938, 49 were German, 122 American and three Italian.

Insider's Outlook

By SAM SHAIN

THE advertising and publicity department of 20th Century-Fox, under the direction of Charles E. McCarthy, produces 3,500 pieces of copy yearly. This figure is on advertising copy only. It does not include exploitation and publicity work. It makes for an average of 67 pieces of advertising copy, weekly, additional to a full film campaign each week.

These statistics were compared with the work done by one of the leading advertising agencies, having 28 vice-presidents alone and approximately 150 clients. That agency produces 7,500 pieces of copy yearly.

LAST week, at the "Strawhat Revue"—Mrs. Henry Ginsberg, Alice and Ed Weisl, with John Hertz, Jr., enjoying an amusing show, and dinner, later, in the Rainbow Room.

WITH Arthur Loew—getting a learned view of things abroad. The foreign trade done under his direction for Loew's is the biggest in the business.

OPERATOR 4905, RKO Building, Rockefeller Center, soliloquising—"If there were no kickers there would be no progress."

BOB GILLHAM—enthused over "Disputed Passage" and "Honeymoon in Bali." In some spots "Bali" outgrossed "Beau Geste."

TUESDAY, at Washington, D. C., for the premiere of Frank Capra's excellent picture, "Mr. Smith Goes to Washington," and enjoying a most interesting day and evening. It was really "Frank Capra Day" in the Capital.

Certainly, one of the most impressive stunts in connection with the eventful program was that full front-page spread obtained by Columbia in one of the Washington, D. C., dailies.

The entire affair was conducted with taste and dignity. Columbia did itself proud, and so did the National Press Club, sponsors of the Columbia program.

LATER with Mr. and Mrs. Hardie Meakin and Mr. and Mrs. Joe Kaliski, for cocktails in the Variety Club at the New Willard. He's the same Hardie Meakin, and he hasn't changed in a dozen years.

YESTERDAY, at 8:45 A.M., in front of the Warner Bros. Strand, on Broadway, where "Dust Be My Destiny" is playing, with Ann Sheridan and Ted Weems' band on the stage, there already was a line half a block long.

The picture finishes its second week today.

That kind of business, more than anything else, indicates that Warners probably will keep that stage show policy permanently.

It was six years ago that W.B. conducted a cross-country tour of some of its players in connection with the film, "42nd Street." That started the Warner people thinking seriously about bolstering the box-office with personal appearances by studio players. Now it is a definite policy of the company, according to spokesmen.

Allied Undecided On N.Y. State Unit

(*Continued from page* 1)

were represented, including proxies.

In New York yesterday, Col. Cole asserted that exhibitors should use caution in looking to the future, as no one knows what the war situation may develop. Theatre business has been improving since last Spring and has been on the upgrade this Fall, said Col. Cole. He attributed this to a normal upswing with only little impetus from the war.

Allied national directors' meeting will be held in Washington in January. The organization's legislative policies will be reviewed, plans will be made for support of the Neely bill in Congress at the Winter session, and the date and place of the national convention will be determined. It is likely that the convention will be held in the Midwest, Col. Cole believes.

Col. Cole plans to leave tonight for Washington to confer with Abram F. Myers, Allied board chairman and general counsel. He will attend the M.P.T.O. of Western Pennsylvania convention in Pittsburgh Oct. 23 and the Associated Theatre Owners of Indiana convention in Indianapolis a day later.

Wisconsin Houses Resume Vaudeville

MILWAUKEE, Oct. 18.—Wisconsin exhibitors in increasing numbers are using stage attractions.

The Hollywood, La Crosse, is playing five acts of vaudeville each Thursday and Friday, while the State in Eau Claire has adopted a similar policy for Wednesdays and Thursdays. The Roosevelt in Kenosha has resumed its policy of weekly stage shows on Saturday and Sunday following an announcement of five vaudeville acts on the same days each week by the Kenosha.

With the Orpheum in Madison for the past several months featuring name bands on its stage on Tuesdays and Wednesdays, the Capitol there has announced a policy of vaudeville acts on Saturdays and Sundays.

American Product Shows Gain in Peru

WASHINGTON, Oct. 18.—American films are gaining in Peru this year, according to a government report.

In the Lima district during the last two months 67 per cent of all films shown were with English dialogue, and 27 per cent Spanish, as compared to 50 per cent and 42 per cent, respectively, in the same period of 1938.

Paint Solves Theatre Grief In Blackouts

(*Continued from page* 1)

bassy on Sunday evenings with ministers of various denominations taking turns.

Wardour Street has not been behind in helping to provide stage entertainment for British troops. Earl St. John, Paramount's theatre chief in this country, and others are associated with a movement which has organized entertainment outfits, leading figures of which are well known British vaudeville stars. They already have given shows in camps near London.

War has not interfered with the services of the General Post Office and Empire Film Libraries, which circularize films to approximately 3,500 schools and institutions through the medium of the Imperial Institute.

In reception areas where there are evacuated children, educational authorities are using the motion picture as an aid to teaching. The films also are being used for the instruction and entertainment of troops in military camps and training centers. No charge is made in either instance except the cost of shipping.

The London County Council is considering arrangements to be made for the renewal of film theatre licenses for 1940, which are normally handled at an annual licensing meeting in November.

The payment of the half-yearly preference dividend, already declared payable on Sept. 30, has been postponed by Associated British Picture Corp. in view of the necessity of preparing revised warrants brought about by the change in income tax rates.

Buffalo's Theatres Aid Paralysis Fund

BUFFALO, Oct. 18.—Buffalo's Variety Club has turned over $2,852 to the Erie County chapter of the National Foundation for Infantile Paralysis, which had been collected in 65 Buffalo theatres Sunday for rehabilitation work among paralysis victims.

"Theatre managers of this city are to be commended for their cooperation," Charles A. Broderick, trustee of the Erie County chapter and collection chairman, said. "The theatres were hard hit during the epidemic, but responded nobly by refusing admission to children under 14. Then they came to the front with an offer to raise funds for the rehabilitation work. We are grateful for this generosity."

Heads Variety Club

COLUMBUS, O., Oct. 18.—C. Harry Schrieber, RKO city manager, has been elected chief barker of the Columbus Variety Club. Virgil Jackson and Lou Holleb, exhibitors, were chosen first and second chief barkers, respectively, and J. F. Luft, treasurer. P. J. Wood was re-elected secretary. New directors are: M. J. Cullen, Donald Burrows, Jeffrey Goldsol and W. S. Cunningham. Re-elected directors were: W. C. Pullin, Sr., Max Stearn, Schrieber, Jackson, Holleb, Luft and Wood.

Officers Renamed By N. Y. Operators

Abraham I. Kindler was reelected president of Empire State Motion Picture Operators Union at the annual meeting yesterday. Nicholas Pitta was named vice-president, William Santarsero was reelected recording secretary and Peter Elarde retained as sergeant-at-arms.

Leon Diamondstein defeated Abraham Rosenman for the post of financial secretary and Harry Fischman defeated Benjamin S. Greenstein, vice-president, for business agent. Nine members of the executive board were elected from a field of 21. They are: James Addesso, chairman; Alfred Schnall, Michael Finkelstein, Joseph Casella, William Greenspan, Allen K. Savitch, Louis Davis, Ignatius Ricca and Jack Millet. All serve for one year.

Costs for Orange County Case Fixed

Costs of $1,000 were fixed by Federal Judge Clancy against Orange County Theatres, Inc., on signing a formal order yesterday dismissing the $225,000 treble damage anti-trust suit against five major companies, Netco Theatres Corp., George Walsh and Eugene Levy. The suit was dismissed Friday at the plaintiff's request.

'Oz' Caravan Returns

M-G-M's "Wizard of Oz" caravan returned to New York yesterday after touring the country three and one-half months. Capt. Volney Phifer is in charge. Next on the itinerary are New York and New Jersey towns.

Brockington Quits As CBC Chairman

MONTREAL, Oct. 18.—Leonard W. Brockington has resigned as chairman of the Canadian Broadcasting Corp. board of governors, Prime Minister McKenzie King disclosed today. The Prime Minister praised Brockington for his work during a three-year term which was to expire this month. His successor may not be named for several weeks.

Terms of Rene Morin, vice-chairman, and Nellie McClung, as governors also expire this month, but it is believed they will be reappointed.

$2,000 SRO Draw By Lotte Lehmann

Lotte Lehmann drew close to $2,000 Tuesday night in her Town Hall recital. The house was s.r.o. with 90 extra seats being added to the stage to handle the overflow.

Miss Lehmann embarks on an extended concert tour directly under supervision of Columbia Concerts Corp.

This was the first of the major solo appearances this season for a top-flight singer of the Metropolitan Opera roster.

Betty Compson Signed

HOLLYWOOD, Oct. 18.—Betty Compson, star of the silent screen, has been signed by M-G-M for the second feminine lead in the M-G-M production of "Not Too Narrow, Not Too Deep," the Clark Gable-Joan Crawford vehicle.

Jones, Kalmus Win Engineers Awards

(Continued from page 1)

Cinemaland" which was voted the outstanding contribution of the year to the S.M.P.E. *Journal*. Dr. A. N. Goldsmith presented the medal and E. P. Curtis announced the award.

About 250 delegates and their wives attended the banquet, which is the highspot of the convention. It was preceded by a projection discussion and a general session. Today's meetings will wind up the four-day convention. R. C. Holslag will preside over the 16 mm. and general session in the morning, and K. F. Morgan will preside at the sound meeting in the afternoon.

Hays Office Debates War Situation Again

Following a further general discussion yesterday of the European situation and its effects on the industry, the quarterly meeting of the M.P.P.D.A. board of directors was adjourned to Oct. 25.

Indications are that the board is awaiting definite word from London on British financial and quota policy before making final decisions on the industry's future activities in Europe.

Book 'Double Crime'

Tower Pictures has booked "Double Crime in the Maginot Line" for the entire Skouras circuit in New York, New Jersey and Long Island, and the Walter Reade circuit in New York State and New Jersey.

Zukor Plans Early South America Trips

HOLLYWOOD, Oct. 18.—Adolph Zukor, Paramount board chairman, plans to leave for Mexico and South America in the near future to contact exhibitors and make a trade survey of the territory for his company.

The trip was planned some time ago but was deferred because of the outbreak of the war. He plans to be away about two months. The trip is of the same nature as those which Zukor made to Europe and the Far East with John W. Hicks, Paramount vice-president and foreign manager.

NBC Denies Equity Offer on Television

NBC officials do not intend to submit a full scale of wages and hours for television performers to Actors Equity Tuesday, it was learned yesterday. The union had announced after its last meeting that such a scale would be presented.

Instead, NBC will submit a plan which will permit legitimate plays to be telecast without payment of one week's pay to the cast. Officials point out that a radio performance is given with only one-eighth of a week's pay extra, and that television programs go to a much more limited audience.

Cast Miriam Hopkins

HOLLYWOOD, Oct. 18.—Miriam Hopkins has been assigned at Warners to play opposite Errol Flynn in "Virginia City." She replaces Olivia De Havilland, who will be assigned another role.

Hearts and Records Broken in ATLANTA!...

LOEW'S GRAND - first southern date - hits spectacular opening figure, 130% of normal!



Eternally Yours

WALTER WANGER presents

starring

LORETTA YOUNG • DAVID NIVEN

with

HUGH HERBERT • BILLIE BURKE • C. AUBREY SMITH

BRODERICK CRAWFORD • ZASU PITTS • VIRGINIA FIELD • RAYMOND WALBURN • Screenplay by GENE TOWNE and GRAHAM BAKER

Directed by TAY GARNETT • Released thru UNITED ARTISTS

(P. S. And did you read about New York, Baltimore and Worcester?)

'Old Maid' Is Denver Lead With $11,000

DENVER, Oct. 18.—"The Old Maid" took $11,000 at the Denver. The split week at the Denham, caused by holding "$1,000 a Touchdown" two days, was good.

Estimated takings for the week ending Oct. 11:

"The Fight for Peace" (Mono.)
ALADDIN — (1,400) (25c-40c) 7 days. Gross: $2,000. (Average, $3,500)
"Fifth Avenue Girl" (RKO)
"Conspiracy" (RKO)
BROADWAY—(1,040) (25c-35c-40c) 7 days, 2nd week. Gross: $2,500. (Average, $2,500)
"$1,000 a Touchdown" (Para.)
DENHAM—(1,750) (25c-35c-40c) 2 days. Gross: $2,500.
"What a Life" (Para.)
DENHAM—(1,750) (25c-35c-40c) 5 days. Gross: $6,000. (Average, 7 days, $6,500)
"The Old Maid" (W. B.)
DENVER—(2,525) (25c-35c-40c) 7 days. Gross: $11,000. (Average, $9,000)
"Thunder Afloat" (M-G-M)
"Way Down South" (RKO)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $8,800. (Average, $9,000)
"Angels Wash Their Faces" (W. B.)
"Hawaiian Nights" (Univ.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,000. (Average, $3,500)
"The Rains Came" (20th-Fox)
"Whispering Enemies" (Col.)
RIALTO—(878) (25c-40c) 7 days. Gross: $2,200. (Average, $1,750)

'Glory' at $12,000, Leads in Detroit

DETROIT, Oct. 18.—The week's business at local theatres was average, the Fox leading with $12,000 for "The Road to Glory" and "Here I Am a Stranger."

Estimated takes for the week ending Oct. 12:

"The Rains Came" (20th-Fox)
"In Name Only" (RKO)
ADAMS—(1,700) (15c-40c) 7 days. Gross: $5,000. (Average, $5,000)
"The Star Maker" (Para.)
"Man in the Iron Mask" (U.A.)
FISHER—(2,800) (15c-40c) 7 days. Gross: $4,300. (Average, $4,500)
"The Road to Glory" (20th-Fox)
"Here I Am a Stranger" (20th-Fox)
FOX—(5,000) (25c-55c) 7 days. Gross: $12,000. (Average, $12,000)
"Four Feathers" (U.A.)
"Fast and Furious" (M-G-M)
MICHIGAN — (4,000) (15c-65c) 7 days. Gross: $9,000. (Average, $10,000)
"Honeymoon in Bali" (Para.)
"What a Life" (Para.)
PALMS—(3,000) (15c-50c) 7 days. Gross: $5,000. (Average, $5,000)
"The Women" (M-G-M)
UNITED ARTISTS—(2,100) (15c-55c) 7 days, 3rd week. Gross: $10,000. (Average. $10,000)

Canada to Simplify Foreign Exchange

TORONTO, Oct. 18.—Because of the confusion in international transactions caused by its wartime regulations, the Foreign Exchange Control Board of Canada has promised, in an official statement, to end protested "red tape" insofar as it affects the operations of Canadian companies which are subsidiary to parent firms in the United States and Great Britain.

This move, which is of direct importance to Canadian film distributors, will bring considerable relief to overworked office staffs but the board will still require monthly returns on foreign exchange involved in shipments between related companies and in payment of funds to home offices in another country. Foreign bank accounts are also to be permitted under license for those who already had such accounts for international trade.

Theatre, Personnel Notes

Two Join Universal

KANSAS CITY, Oct. 18.—William Warner, formerly Warner branch manager here, has gone with Universal as salesman in the southern Missouri territory, succeeding Roy Palmquist, resigned. Les Durland, formerly branch manager for Monogram, has joined Universal as booker, succeeding Charles Oliver, who has resigned to enter business for himself in Springfield, Mo.

Reopen Frisco Tivoli

SAN FRANCISCO, Oct. 18.—The old Tivoli, a downtown landmark, will reopen in two weeks to show films on a dual policy, plus orchestra, stage revue and ballet.

Sisson Heads Orchestra

BUFFALO, Oct. 18.—Vincent R. McFaul, general manager of the Shea circuit here, has signed Ken Sisson, radio conductor and arranger for broadcasting stars, as director of the Shea's Buffalo orchestra.

Remodel RKO Exchange

MILWAUKEE, Oct. 18.—The building housing the RKO exchange here is being thoroughly renovated at an estimated cost of $50,000.

Renamed and Remodeled

BUFFALO, Oct. 18.—The Hollywood in Lackawanna, in addition to being renovated, is to get a new name, the Rex.

Don Harpole Shifted

BUFFALO, Oct. 18.—Don Harpole, who had been assistant manager of the new Twentieth Century, has been shifted to the suburb of North Tonawanda, to manage the Riviera.

Manages Warner House

RACINE, Wis., Oct. 18.—Eli Arkin, formerly manager of the Paramount in Hammond, Ind., has been named manager of Warner's Venetian here, succeeding Harvey Kny.

Opens Connecticut House

DEEP RIVER, Conn., Oct. 18.—Lee Malcarni has opened the renovated 475-seat Deep River Theatre, formerly Pratt's. The house was acquired last summer under long term lease and Louis Pratt has been retained as manager.

To Remodel Entrance

ASHEVILLE, N. C., Oct. 18.—Publix-Bamford Theatres will remodel the entrance to the Plaza at a cost of $7,500.

Close Drive-in Theatre

MILFORD, Conn., Oct. 18.—The 800-car Milford Drive-In Theatre has been closed for the season and will install individual speakers before reopening. The appeal of a recent injunction decision rendered against it in a public nuisance action, has been withdrawn.

Changes to Reel Theatre

PITTSBURGH, Oct. 18.—The Palace, subsequent run downtown house, for several years, will be converted Oct. 23 in a newsreel house by the Harris Amusement Co.

Wheeler Succeeds Allen

DENVER, Oct. 18.—Herschel Wheeler has been named manager of the Pace at Gordon, Neb. The house is owned by the Black Hills Amusement Co. Wheeler succeeds Howard Allen, who died of a heart attack recently.

Take Back Denver House

DENVER, Oct. 18. — Atlas Theatres are again operating the Jewel Theatre, having taken it back from R. A. Allen, who leased it about a year ago. Atlas is retaining E. J. Ward, manager of the house.

Buy House in Garner, Ia.

GARNER, Ia., Oct. 18.—Mr. and Mrs. Donald Gran of Sioux Rapids, Ia., have bought the Avery, operated by Charles Marks since 1931.

Newark Theatre Renamed

The American in Newark has been renamed the Avon.

RKO Closes Six Deals with Circuits

RKO has closed circuit deals for the 1939-'40 product with the Butterfield Circuit of Michigan, Lucas & Jenkins in the South, Loew's in New England, for Hartford, Worcester, Bridgeport, Waterbury and New Haven; the Notopoulos Circuit, operating in Altoona, Pa., Dolle theatres in Louisville and the Real-Neth Circuit in Ohio.

Detroit Is All Set For Para. Premiere

(Continued from page 1)

biles in this Motor City will be held in conjunction with the opening.

The guests today attended a luncheon of the local tent of the Variety Club at the Book Cadillac Hotel. University of Detroit co-eds were hostesses today to John Howard and Robert Preston, Hollywood players, at a luncheon and reception. Following the luncheon, the two were escorted on a tour of the campus.

Music Hall Opens 'Mr. Smith' Today

"Mr. Smith Goes to Washington" opens at the Music Hall today. The second week of "Intermezzo" grossed an estimated $88,000 there. At the Capitol, "Babes in Arms" bows today after one week for "Thunder Afloat" which drew an estimated $25,000.

Warner Club Party

The New York Warner Club will hold its annual Hallowe'en party and masquerade on Friday, Oct. 27, at the home office clubrooms. Refreshments will be served with prizes to be awarded for best costumes, games, dancing, etc.

Kane Trial Nov. 14

Trial of the $25,000 breach of contract suit of Samson Raphaelson against Robert T. Kane was set for Nov. 14 by N. Y. Supreme Court Justice Wasservogel yesterday. Plaintiff claims the violation of a contract employing him for ten weeks as a writer at $2,500 weekly.

'Babes' Hits Fine $21,400, Philadelphia

PHILADELPHIA, Oct. 18.—"Babes in Arms" did smash business during its first week at the Boyd, with $21,400. "Hollywood Cavalcade" earned a good $16,600 at the Fox.

Estimated takings for the week ending Oct. 12:

"Intermezzo" (U. A.)
ALDINE—(1,700) (32c-42c-57c) 7 days, 2nd week. Gross: $8,200. (Average, 7 days. $8,000)
"Here I Am A Stranger" (20th-Fox) (4 days)
"Dancing Co-Ed" (M-G-M) (3 days)
ARCADIA—(600) (32c-42c-57c) 2nd runs. Gross: $2,200. (Average, 7 days, $2,600)
"Babes in Arms" (M-G-M)
BOYD—(2,400) (32c-42c-57c) 7 days. Gross: $21,400. (Average, 7 days, $10,000)
"Rio" (Univ.)
EARLE—(2,400) (32c-42c-57c-68c) 6 days (closed Sundays). Stage: Ted Fio-Rito and his orchestra; the Three Peppers, and other acts. Gross: $16,200. (Average, $16,000)
"Hollywood Cavalcade" (20th-Fox)
FOX—(3,000) (32c-42c-57c) 7 days. Gross: $16,600. (Average, 7 days, $13,000)
"Honeymoon in Bali" (Para.)
KARLTON—(1,000) (32c-42c-57c) 7 days, 2nd run. Gross: $4,600. (Average, 7 days, $3,000)
"The Rains Came" (20th-Fox)
KEITH'S—(2,200) (32c-42c-57c) 7 days, 2nd run. Gross: $4,500. (Average, $3,000)
"The Old Maid" (W. B.)
PALACE—(1,000) (26c-32c-42c) 7 days, 3rd run. Gross: $6,400. (Average, $2,600)
"Beau Geste" (Para.)
STANLEY—(3,700) (32c-42c-57c) 5 days, 2nd week. Gross: $7,100. (Average, 7 days, $14,000)
"Espionage Agent" (W. B.)
STANTON—(1,700) (26c-32c-42c) 7 days. Gross: $6,400. (Average, $4,500)

'Geste' at $15,000 Leads Pittsburgh

PITTSBURGH, Oct. 18.—"Beau Geste" drew $15,000 at Loew's Penn, "Under-Pup" took a healthy $7,500 at the Fulton, while the reissue of "All Quiet on the Western Front" netted $4,000 at the Senator.

Estimated takings for the week ending Oct. 12:

"Rio" (Univ.)
ALVIN — (1,900) (25c-35c-50c) 7 days. Gross: $4,900. (Average, $7,000)
"The Under-Pup" (Univ.)
FULTON—(1,700) (25c-40c) 10 days. Gross: $7,500. Average, 7 days, $5,000)
"Beau Geste" (Para.)
LOEW'S PENN—(3,600) (25c-35c-50c) 7 days. Gross: $15,000. (Average, $13,000)
"All Quiet on the Western Front" (Univ.)
SENATOR—(2,000) (25c-35c-50c) 7 days. Gross: $4,000. (Average, $3,500)
"Espionage Agent" (W. B.)
STANLEY—(3,600) (25c-40c-60c) 7 days. Stage: Major Bowes' Fifth Anniversary Show. Gross: $14,000. (Average, $17,000)
"Everybody's Hobby" (W. B.)
"$1,000 Touchdown" (Para.)
WARNER—(2,000) (25c-40c) 7 days. Gross: $3,600. (Average, $5,000)

'Cavalcade' Omaha Winner at $10,000

OMAHA, Oct. 18.—"Hollywood Cavalcade" soared to an exceptional $10,000 at the Orpheum.

Estimated takings for the week ending Oct. 11-12:

"Fifth Avenue Girl" (RKO)
"Full Confession" (RKO)
BRANDEIS—(1,200) (25c-35c-40c) 7 days. Gross: $5,500. (Average, $4,000)
"Honeymoon in Bali" (Para.)
"They All Come Out" (M-G-M)
OMAHA—(2,200) (25c-40c) 7 days. Gross: $6,000. (Average, $6,000)
"Hollywood Cavalcade" (20th-Fox)
"Hawaiian Nights" (Univ.)
ORPHEUM — (3,000) (25c-40c) 7 days. Gross: $10,000. (Average, $7,600)

Alert, Intelligent and Impartial Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 78 NEW YORK, FRIDAY, OCTOBER 20, 1939 TEN CENTS

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Trade Critics Draw Attack By Pettijohn

Nebraska Women's Clubs Fight Neely Bill

LINCOLN, Neb., Oct. 19.—Annual convention of Nebraska Women's Clubs in session here today unanimously adopted a resolution opposing the Neely Bill after hearing an address by C. C. Pettijohn of the M.P.P.D.A., who scored "pressure groups and lobbyists" and their influence on uninformed civic organizations.

Approximately 1,200 clubwomen from all parts of the state attended today's meeting.

Pettijohn told the convention that the pressure groups and lobbyists would fade from the American political scene if it were not for the blind but well-meaning support given them by thousands of national, state and local organizations intrigued by their catch-phrases.

"A pleading voice on the radio, a

(*Continued on page 6*)

Wobber Off Sunday To Tour Branches

Herman Wobber, general sales manager of 20th Century-Fox, will leave Sunday for the Coast and a tour of branches in connection with the S. R. Kent Drive. He will be gone about a month.

En route to the Coast he plans to hold branch meetings in Denver, Salt Lake City, Seattle, San Francisco and Los Angeles. He will spend about a week at the studio in production con-

(*Continued on page 5*)

'Smith' Opens SRO; 'Cavalcade' $55,000

"Mr. Smith Goes to Washington" opened to capacity business at the Music Hall yesterday, rolling up an estimated $14,000 for the day. Reserved seats for the entire day were sold out early. "Hollywood Cavalcade" did handsomely at the Roxy with an estimated $55,000 for the first week. It holds over.

At the Strand, "Dust Be My Destiny," in its second week, drew an estimated $33,000. "On Your Toes" bows there this morning. "Calling All Marines" will follow "Those High Grey Walls" at the Criterion Wednesday.

U. S. Film Critics Name Governors, Plan for 1940 Hollywood Convention

DETROIT, Oct. 19.—A committee appointed to perfect the organization of the nation's prominent motion picture critics, meeting here today, selected Hollywood as the meeting place for its first convention to be held late in February or early in March.

The committee announced that it had appointed a temporary board of governors to serve until after the first convention. The board will be comprised of 13 members, 12 of whom will represent geographical districts of the United States, the other the Dominion of Canada.

Appointment of all governors, and their acceptances, were announced with the exception of a governor for the New York-New Jersey district who will be named within the next ten days.

Jimmy Starr, motion picture editor of the Los Angeles *Herald-Express,* was chosen chairman of a committee to be appointed by him to handle details of the convention.

The governors and their districts are:

District 1—New York and New Jersey, not appointed.

District 2—Maine, New Hampshire, Vermont, Massachusetts, Connecticut and Rhode Island, Prunella Hall, Boston *Post.*

District 3—Pennsylvania, Dela-

(*Continued on page 8*)

British Exhibitors See Threat From Frozen U.S. Cash

LONDON, Oct. 19.—The Cinematograph Exhibitors Association will demand that all money retained in England as a result of the expected restrictions on remittances to the United States by American film distributors be spent within the film industry here.

It is understood that the exhibitor organization is planning to ask safeguards against foreign theatre investments (presumably American) which are likely to restrict British exhibitor activities.

The C.E.A. today, following a recent interview with Oliver Stanley,

(*Continued on page 8*)

Metro Calls Chicago Parley Upon 'Wind'

Metro-Goldwyn-Mayer has summoned its district and branch managers for a mid-season conference with home office executives on Oct. 28 and 29 in Chicago, where policies on Selznick-International's "Gone With the Wind" will be determined.

This will be the first meeting outside of a national sales convention to which all of Metro's branch managers have been ordered.

Attending will be the company's home office executive staff consisting of William F. Rodgers, general sales manager; Thomas J. Connors and Edward Saunders, divisional managers; Alan F. Cummings, in charge

(*Continued on page 8*)

RKO Makes Strong Gains in 6 Months; Loss Cut to $68,070

RKO operations for the first six months of 1939 resulted in consolidated net loss of $68,070, compared with net loss of $480,176 for the corresponding period last year, the semi-annual report of Irving Trust Co., RKO trustee, which was filed in U. S. District Court here yesterday by Andrew Christensen, trustee's representative, disclosed.

Result is after all taxes and provision for $382,594 interest but before providing for the current dividend of $148,900 on 42,543 shares of Keith-Albee-Orpheum preferred stock.

Breakdown of the operating results reveals a net profit for the RKO theatre subsidiaries of $482,650 for the six months period, compared with net of $416,478 for the corresponding period a year ago.

The report observes that both thea-

(*Continued on page 3*)

MPTOA Will Hear Rodgers Code Data

William F. Rodgers, general sales manager of M-G-M and chairman of the distributors' trade practice code negotiating committee, will discuss trade practices with the M.P.T.O.A. directors at the annual board meeting in White Sulphur Springs, West Va., next Monday and Tuesday.

Rodgers will attend at the invitation of the board. He will give the directors hitherto undisclosed information regarding the code negotia-

(*Continued on page 3*)

Latin America Market Pleas To Washington

Industry Seeks U. S. Aid In Argentine Situation

WASHINGTON, Oct. 19.—War and economic contractions of European markets have made it more essential than ever before that American film producers retain their position in Latin America.

The Committee for Reciprocity Information was told this today by Harry Levine of RKO, representing M.P.P.D.A., in a hearing on the proposed reciprocal trade agreement with Argentina.

Levine charged that even while it was negotiating the treaty with U.S. representatives, the Argentine government has increased the burden on producers in that market.

The fifth most important industry in the United States, motion pictures must have access to foreign markets because it must secure a yield of 35 to 40 per cent of its total from these areas if it is to continue to produce

(*Continued on page 8*)

'Passage' Opening Captures Detroit

DETROIT, Oct. 19.—Aided by a group of Hollywood stars, with outstanding showmen and Midwestern circuit operators in attendance and a preview of the 1940 model automobiles, Paramount held the world premiere of "Disputed Passage" at the Michigan Theatre here tonight.

With Gov. Luren D. Dickinson acting as honorary chairman of the Detroit World Premiere Committee, more than 100 local business, civic and social leaders cooperated in making it a gala event.

Mayor Richard W. Reading, members of the Chamber of Commerce and other civic organizations, and crowds

(*Continued on page 3*)

Laughton to Shift Mayflower to U. S.

HOLLYWOOD, Oct. 19. — Charles Laughton and Eric Pommer will reorganize their Mayflower Productions, Ltd., of England, and adapt it to production in Hollywood. The reorganization, they said, will have to be effected under the aegis of an American company, but so far no negotiations have been started.

New Offices Set for Fox Occupancy

Advertising, publicity and exploitation departments of 20th Century-Fox over the weekend will move into a remodeled building adjoining the home office on 56th St. near 10th Ave.

Publicity department will be on the first floor, advertising on the second and the art department on the third. The building, formerly a Catholic boys' club, is now owned by 20th Century-Fox.

Space vacated by these departments on the fourth floor of the home office building ultimately will be remodeled for occupancy by West Coast studio representatives and talent and story offices, which are now scattered.

Plans include spacious offices for Joseph M. Schenck, chairman of the board, and Darryl F. Zanuck, production chief, when they visit New York.

Few Film Dealings Reported by S.E.C.

WASHINGTON, Oct. 19.—Acquisition in August of 2,500 shares of Trans-Lux Corp. common stock as compensation and disposition of 2,000 shares by gift by Robert L. Daine, New York, officer, was reported tonight by the Securities and Exchange Commission. At the close of the month, it was shown Daine held 3,000 shares of Trans-Lux common.

The semi-monthly summary of the S.E.C. also carried a belated report showing that in April Sam E. Morris, New York, Warner officer, disposed of 15,000 optional convertible debentures, his entire holdings in that class.

Other August reports showed acquisition by Abraham Schneider, treasurer, of 100 Columbia Pictures common voting trust certificates, bringing his holdings to 304, and acquisition by John J. McCaffrey, New York director, through H. D. Best McCaffrey Co. of 60 shares of Keith-Albee-Orpheum seven per cent preferred stock, his entire holding when he became a director Aug. 31.

Loop Operator Cut Request Expected

CHICAGO, Oct. 19.—Demands for a reduction in motion picture operators' salaries is expected by the first of the year. Last month a pay cut of five per cent, taken voluntarily by the operators last year, was restored. The present scale is said to range from $75 to $145 a week.

Gets Red Cross Post

CHARLOTTE, N. C., Oct. 19.—Emil Bernstecker, manager of the Carolina, has accepted the chairmanship of the business division of the 1939 Red Red Cross Roll Call campaign in Mecklenburg County.

General Theatres Profit

LONDON, Oct. 19.—A profit for the year of £312,526 has been reported by General Theatres Corp., Ltd. The year ended on March 31.

Purely Personal

S. BARRET McCORMICK, RKO advertising and publicity director, returned to New York yesterday from Pittsburgh where he made arrangements for the world premiere there of "Allegheny Uprising."

•

MORRIS LOEWENSTEIN of Oklahoma City, M.P.T.O.A. secretary, and SOL DAVIS and ONA JOHNSON of the same city who have been in New York for a brief visit, went to Boston last night and from there will go to White Sulphur Springs, West Va., for the M.P.T.O.A. national board meeting Monday and Tuesday.

•

LEONARD GOLDENSON, Paramount home office theatre executive, has gone to Beaumont, Texas, from Atlanta, Ga., on a business trip. He plans to attend the M.P.T.O.A. national board meeting at White Sulphur Springs, West Va., next week and is due back in New York at the end of the week.

•

ANN SHERIDAN leaves today for Hollywood to resume picture work, having last night ended her engagement at the Strand here. ZORINA makes a personal appearance tonight at 7:30 at the Strand.

•

JANE WITHERS, 20th Century-Fox player, will arrive in New York Sunday with her mother and secretary for a week's visit before returning to Hollywood from personal appearances in the East.

•

HARRY HUFFMAN, Denver city manager for Fox Theatres, was one of the speakers before the Boulder, Col., Public Forum, on "How to Recognize and Combat War Propaganda."

•

W. A. GRAEPER of the Egyptian Theatre, Portland, Ore., is limping as a result of being hit by a car in front of the RKO Building. He is here to see the World's Fair.

•

GENE AUTRY left for Big Springs, Texas, by plane yesterday to attend the festivities there in observance of the 25th anniversary of the Robb & Rowley circuit.

•

MICKEY ROONEY is en route to Detroit, to visit the Thomas A. Edison Foundation established by HENRY FORD, as preparation for his role in "Young Thomas Edison."

•

JACK J. SULLIVAN, Fox West Coast film buyer, has returned to his home in Los Angeles. He was here on his annual film buying trip.

•

SI SEADLER, advertising manager of M-G-M, is at home recuperating from an illness and expects to be back at work Monday.

•

E. C. MILLS, chairman of the Ascap administrative committee, will return to New York from Jacksonville, Fla., this weekend.

•

JOSEPH BERNHARD, general manager of the Warner circuit, attended a meeting in Philadelphia yesterday.

•

PATSY KELLY arrived in New York from Hollywood yesterday by American Air Lines plane.

•

HARRY GOLDBERG of Warner Theatres returned from Albany yesterday.

T. E. SHEA, vice-president and director of engineering for Erpi, leaves for the Coast tonight to confer with CLIFFORD W. SMITH, Coast vice-president.

•

JACK GOETZ, SAM CITRON, JOSEPH MALCOLM, HARRY BUCKLEY, MURRAY and EMANUEL SILVERSTONE, TIM WHELAN, W. RAY JOHNSTON, EDWARD A. GOLDEN, ARTHUR KELLY, WILLIAM FITELSON, BUDD ROGERS and ILKA CHASE at BOB GOLDSTEIN'S Tavern for lunch yesterday.

•

ARTHUR G. MILLER, who has operated the Lyric in Atkinson, Neb., for many years, has left by motor for his home with MRS. MILLER after attending the Legion Convention in Chicago, and visiting Washington and New York.

•

WILLIAM MCCAUL, projectionist at the Broadway, Toronto, has enlisted in the Royal Canadian Air Force. He served in the Army Medical Corps in the World War, having enlisted when he was 17.

•

CONSTANCE BENNETT left New York via TWA yesterday for Columbus, O., where she will begin a personal appearance tour, including Buffalo and other cities.

•

HERMAN WOBBER, CHARLES E. MCCARTHY, SPYROS SKOURAS, SAM SHAIN and NEIL AGNEW lunching at the Hotel Plaza Grill yesterday.

•

JULIO M. AMEDIO, 20th Century-Fox general manager in Venezuela, returns to his headquarters in Caracas today after a brief visit here.

•

ED SCHNITZER, Eastern district manager for Warner Bros., returns Monday after a week's tour of branches in New England.

•

AL BARABAS, assistant booker at Warners' New York exchange, has left the Medical Center, Jersey City, after an operation.

•

MONROE GREENTHAL, U. A. exploitation manager, flies to the Coast today for a week's conferences on new product promotion.

•

WILLIAM SUSSMAN, Eastern sales manager for 20th Century-Fox, has purchased a new home in Yonkers.

•

RUSSELL BIRDWELL arrived from the coast via American Air Lines yesterday.

•

AL MARGOLIES, publicity manager of U. A., goes to Boston today, returning Monday.

•

CHARLES ROSENFELD, Los Angeles exhibitor, is in town on a pleasure trip.

•

HERBERT M. WOOLF of Kansas City has been East for the racing season.

•

JACK L. WARNER will remain here for some time.

Import French Film

Transatlantic Films is releasing in the United States "Grande Gloire," French film with the action set in Paris and London during the mobilization period of the present war. It stars Mireille Balin and Erich von Stroheim.

Cohan-Jessel Team For 'Night of Stars'

A new song and dance team, featuring George M. Cohan and George Jessel, will make its debut and only appearance at the "Night of Stars" refugee benefit show at Madison Square Garden Nov. 15.

Others who have promised to appear are Irving Berlin, Judy Canova, Benny Goodman, Maxine Sullivan, Jack Dempsey, Hannah Williams, Paul Draper, Abbott and Costello, Olsen and Johnson, Molly Picon, Alexander Smallens and Martha Raye.

Skouras Leaving For Key Meetings

Spyros Skouras, operating head of National Theatres, will leave Monday for meetings with division and district managers in four cities.

New product deals and the fourth annual National Theatres drive, now in progress, will be discussed. Skouras will return in about three weeks.

Meetings will be held in Milwaukee, Oct. 24; Kansas City, Oct. 25; Denver, Oct. 26, and Los Angeles, Oct. 29. Skouras will remain on the Coast about 10 days. He will be accompanied by Edward Zabel, film buyer, and John Healy, assistant to Skouras.

National Theatres product deals are still being negotiated. There has been more work attached to this than in previous years because the circuit is negotiating each situation separately.

Depinet, M'Cormick Off for Coast Today

Ned E. Depinet, RKO Radio distribution head, and S. Barret McCormick, advertising and publicity director, will leave for the Coast by American Air Lines today to confer with George J. Schaefer, president, on sales and advertising plans for forthcoming RKO product.

Forthcoming product which will be viewed by the home office executives includes "The Hunchback of Notre Dame," recently completed, and "Swiss Family Robinson," "Abe Lincoln in Illinois," "Vigil in the Night," "That's Right, You're Wrong," and portions of Walt Disney's "Pinocchio."

MOTION PICTURE DAILY

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Detroit Holds Gay Opening Of 'Passage'

(Continued from page 1)

of natives, greeted Dorothy Lamour and John Howard, stars of the film, and Olympe Bradna, J. Carroll Naish, Susan Hayward, Robert Preston and Joseph Allen, Jr., all of whom appeared in person at the Michigan.

The premiere festivities began early this morning when a special meeting of the National Film Critics of America was held. Then the stars were guests at a special luncheon arranged by the local Variety Club, and in the afternoon they held an informal reception in the Crystal Room of the Book Cadillac Hotel. Later a buffet supper was served for the stars, visiting newspaper representatives and guests of the committee, including local business and civic leaders.

Preview of 1940 Cars

As a prelude to the premiere of the film, the local automobile industry staged a preview of 1940 cars in a street parade of "Stars and Cars of 1940." The parade started at 7:30 P. M. and covered the main streets en route from the Book Cadillac Hotel to the Michigan. Each car carried a star, who, on arrival, was introduced to the street crowds. Harry Heilman, commentator from Station WXYZ, acted as master of ceremonies.

Steel stanchions, set in concrete, had been installed along the full length of the street to hold back the crowds against steel cables. Among the auto companies participating were Ford, Oldsmobile, Buick, Packard, Hudson, Chevrolet, Plymouth and Pontiac. The Ford Kiltie Band, three American Legion drum and bugle corps and Detroit's latest fire apparatus were in the parade.

Crowd Sees Self on Screen

A Paramount News crew filmed the crowds at the theatre, rushed the negatives to a local laboratory, and brought back prints, which were shown at the theatre.

Railroad and bus lines within a radius of 150 miles arranged special "world premiere trips" to the Motor City. Police Commissioner Heinrich Pickert personally took charge of the police handling the crowds during the parade and at the theatre.

Scully Off for 'U' Sales Conferences

William A. Scully, Universal general sales manager, left yesterday for sales meetings in Indianapolis, Detroit, Chicago and Milwaukee. He will return Tuesday or Wednesday.

Within the next two or three weeks all branches will be visited by home office distribution heads. F. J. A. McCarthy, Eastern sales manager, and William J. Heineman, Western sales manager, are conducting meetings in their territories.

Illness Closes Theatres

DENVER, Oct. 19.—Because of two cases of infantile paralysis in town and seven more in the county, the theatres, along with other public places were closed at Durango, Colo., in the extreme Southwestern part of the state.

Witness Paramount Premiere



This exclusive MOTION PICTURE DAILY wirephoto, sent last night from Detroit, shows Paramount executives who attended the brilliant premiere there of "Disputed Passage." Seated, left to right, are Dave Balaban, John Balaban, Dorothy Lamour and John Howard. Standing, left to right—Charles Kurtzman of Loew's, Pittsburgh; Joseph Feldman of Warners, Pittsburgh; William Hollander of Balaban and Katz, Chicago; Charles Winchell of Minnesota Amusement Co., Minneapolis, and Harry Browning of M. and P. Theatres, Boston.

RKO Makes Strong Gains in 6 Months

(Continued from page 1)

tre attendance and the average admission price were lower in the 1939 period than in the 1938 period, but that operating expenses and fixed charges also declined, contributing to the improvement in net profit.

Operations of the picture subsidiaries for the period resulted in net loss of $756,668 after accrual of interest on indebtedness to RKO in the amount of $538,691. This compares with net loss of $1,135,522 after accrual of $526,262 interest last year.

The report notes the picture company receipts showed a substantial decrease this year but that reduction in expense more than offset this.

Pathe News showed a net profit of $49,881 for the period, compared with net of $117,574 for the first half of 1938.

RKO's total income for the 26 weeks was reported as aggregating $26,322,046, of which $13,393,263 was from film rentals and sales; $11,501,158 was from theatre admissions and $1,427,624 was from rents and other income. Expenses aggregated $24,881,208, of which $11,862,193 was for film sales and service.

The report notes that during the six months period fixed indebtedness of RKO and subsidiaries was reduced by the sum of $1,045,751, and interest on indebtedness was paid in the amount of $590,270. The total of fixed indebtedness of the company has been reduced by the sum of $10,874,223 since the inception of the receivership in 1933, the report reveals.

Christensen related that company operations for September and the early part of October have been profitable following poor results for July and August.

Mills Luncheon Oct. 30

ALBANY, Oct. 19. — Testimonial luncheon for Bernie Mills, who recently gave up the Republic franchise here, has been set for Oct. 30 at the Ten Eyck Hotel.

Rodgers Will Give MPTOA Data on Code

(Continued from page 1)

tions, particularly with reference to M.P.T.O.A., recommendations which were not included in the last draft.

There will also be a round table discussion on the proposed code generally, the obstacles encountered in drafting it and a consideration of possible future steps through individual company action.

Full representation of officers and directors of M.P.T.O.A. has been assured for the two-day meeting at the Greenbrier Hotel.

Among officers who have made reservations are: Ed Kuykendall, president; Frank C. Walker, vice-president; M. A. Lightman, vice-president; Mitchell Wolfson, vice-president; A. Julian Brylawski, vice-president; Morris Loewenstein, secretary; Walter Vincent, treasurer, and Fred Wehrenberg, board chairman.

Also the following directors: William Benton, New York; Frank C. Cassil, St. Joseph, Mo.; E. M. Fay, Providence, R. I.; H. V. Harvey, San Francisco; A. C. Hayman, Buffalo; O. C. Lam, Rome, Ga.; Arthur H. Lockwood, Middletown, Conn.; Morris Leonard, Chicago; Joseph Denniston, Detroit; Benjamin Pitts, Fredericksburg, Va.; Lewen Pizor, Philadelphia; Lyle M. Wilson, Roanoke Rapids, N. C.; Roy L. Walker, Lampasas, Texas; Charles E. Williams, Omaha, and R. X. Williams, Jr., Oxford, Miss.



MOTION PICTURE DAILY'S BOOKING CHART

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Sept. 15	Outpost of the Mounties *Charles Starrett* *Iris Meredith*	Thunder Afloat *Wallace Beery* *Chester Morris*	Sky Patrol *John Trent* *Jackie Coogan*	Beau Geste *Gary Cooper* *Ray Milland* (G) (D)		The Day the Bookies Wept *Joe Penner* *Betty Grable*	The Rains Came *Myrna Loy* *Tyrone Power* *George Brent*		Two Bright Boys *Jackie Cooper* *Freddie Bartholomew*	Dust Be My Destiny *John Garfield* *Priscilla Lane* (G) (D)
Sept. 22	Those High Grey Walls *Walter Connolly* *Iris Meredith*			$1,000 a Touchdown *Joe E. Brown* *Martha Raye*	Calling All Marines *Donald Barry* *Helen Mack*	Fifth Avenue Girl *Ginger Rogers* *James Ellison* (A) (C)	Stop, Look and Love *Jean Rogers* *William Frawley*	Intermezzo, a Love Story *Leslie Howard* *Ingrid Bergman*	The Witness Vanishes *Edmund Lowe* *Wendy Barrie*	No Place to Go *Fred Stone* *Gloria Dickson*
Sept. 29		Dancing Coed *Lana Turner* *Richard Carlson* *Artie Shaw*	Crashing Thru *James Newill* The Fight for Peace	Honeymoon in Bali *Madeleine Carroll* Range War (O)	The Arizona Kid *Roy Rogers*	Nurse Edith Cavell *Anna Neagle* *Edna May Oliver* (G) (D)	Here I Am A Stranger *Richard Greene* *Roland Young*	The Real Glory *Gary Cooper* *Andrea Leeds*	Rio *Sigrid Gurie* *Basil Rathbone* *Robert Cummings*	A Child Is Born *Geraldine Fitzgerald* Espionage Agent *Joel McCrea*
Oct. 6	U-Boat 29 *Conrad Veidt* *Valerie Hobson*	Fast and Furious *Ann Sothern* *Franchot Tone*		What a Life *Jackie Cooper* *Betty Field*	Kansas Terrors *Jacqueline Wells* *The Three Mesquiteers*	Everything's On Ice *Irene Dare* *Edgar Kennedy*	The Escape *Kane Richmond* *Amanda Duff*	Eternally Yours *Loretta Young* *David Niven*	Hero for a Day *Anita Louise* *Dick Foran*	Pride of the Blue Grass *Edith Fellows* *Gantry the Horse*
Oct. 13	Scandal Sheet *Otto Kruger* *Ona Munson*	Babes in Arms *Mickey Rooney* *Judy Garland*		Jamaica Inn *Charles Laughton* *Maureen O'Hara*	Sabotage *Arleen Whelan*	Three Sons *Edward Ellis* *Virginia Vale*	Road to Glory *Fredric March* Hollywood Cavalcade *Alice Faye* *Don Ameche*		Tropic Fury *Richard Arlen*	On Your Toes *Zorina*
Oct. 20	Mr. Smith Goes to Washington *Jean Arthur* *James Stewart*	At the Circus *Marx Brothers*	Mutiny in the Big House Riders of Destiny Sagebrush Trail Danger Flight	Television Spy *William Henry* *Judith Barrett*			Pack Up Your Troubles *Jane Withers* Shipyard Sally *Gracie Fields* *Sidney Howard*		Oklahoma Frontier	Smashing the Money Ring *Ronald Reagan* *Rosella Towne*
Oct. 27	Beware Spooks *Joe E. Brown* *Mary Carlisle*	Bad Little Angel *Virginia Weidler*	Overland Mail *Jack Randall* The Phantom Strikes *Sonny Hale*	Disputed Passage *Dorothy Lamour* *Akim Tamiroff*	Jeepers Creepers *Weaver Bros. & Elviry*	Sued for Libel *Kent Taylor* *Linda Hayes*	20,000 Men a Year *Randolph Scott* The First World War	Housekeeper's Daughter *Joan Bennett* *Adolphe Menjou*	Tower of London *Basil Rathbone* Little Accident *Baby Sandy*	The Roaring Twenties *James Cagney* *Priscilla Lane*
Nov. 3	Blondie Brings Up Baby *Penny Singleton* The Stranger from Texas	Ninotchka *Greta Garbo* *Melvyn Douglas*	Heroes in Blue *Dick Purcell* Fighting Mad *James Newell*	Law of the Pampas *William Boyd* *Russell Hayden*	Main Street Lawyer *Edward Ellis* *Anita Louise*	Flying Deuces *Laurel & Hardy* Marshal of Mesa City *George O'Brien*	Heaven with Barbed Wire Fence *Jean Rogers*		Call a Messenger The Road Back Legion of Lost Flyers *Richard Arlen*	Kid Nightingale *John Payne* *Jane Wyman*
Nov. 10		Secret of Dr. Kildare *Lew Ayres* *Lionel Barrymore*		Cat and the Canary *Bob Hope* *Paulette Goddard*	Washington Cowboy *Gene Autry* *Mary Carlisle*	Allegheny Uprising *John Wayne* *Claire Trevor*	Drums Along the Mohawk *Henry Fonda* *Claudette Colbert*		First Love *Deanna Durbin* One Hour to Live *Doris Nolan*	Private Lives of Elizabeth and Essex *Bette Davis* *Errol Flynn*
Nov. 17		A Call on the President *Ann Sothern* *Louis Stone*		Rulers of the Sea *Douglas Fairbanks, Jr.*	The Covered Trailer	Meet Dr. Christian *Jean Hersholt*	Too Busy to Work *Jones Family*		Destry R[illegible] Again *Marlene Dietrich* *James Stewart*	Lady Dick *Jane Wyman* *Dick Foran*



Radio Programs

"The Story Behind the Headlines" begins its third series Friday Oct. 27 over NBC-Red. It will be heard Fridays at 10:30 P. M. Cesar Saerchinger, foreign correspondent, will again be commentator. . . . WMCA will broadcast the luncheons of the Overseas Press Club Wednesdays at 1:15 P. M., starting Oct. 25. . . .

"Bob and Betty," story of two youngsters operating their own newspaper, starts over CBS Monday, Oct. 23. It will be heard 5:15 P. M. Mondays through Fridays. . . . Pet Milk starts its seventh year over CBS with the renewal of the Mary Lee Taylor and Bob Trout program over 62 CBS stations, Tuesdays and Thursdays at 11 A. M. Trout will do a five-minute newscast from New York to start and Miss Taylor will follow from KMOX, St. Louis. Gardner Advertising is the agency. . . .

Arturo Toscanini will conduct his NBC Symphony Orchestra from Carnegie Hall, Saturday, Dec. 2, for the benefit of the Welfare Fund of the N. Y. Junior League. The program will be heard as usual over NBC-Blue at 10 P. M. . . . Conti Products, on behalf of Conti Soap, have signed with WNEW for 31 weekly spot announcements for 52 weeks. Bermingham, Castleman & Pierce is the agency. . . .

Engineer's Parley Ends With Papers

The four-day Fall convention of Society of Motion Picture Engineers ended yesterday at the Hotel Pennsylvania. Yesterday's meeting was featured by two sessions, a 16mm. and general meeting, at which R. C. Holslag presided, and a sound discussion, at which K. F. Morgan was chairman.

Five papers were read and one demonstration was made during the morning and nine additional papers were read in the afternoon. Those who read papers include Holslag, W. H. Offenhauser, Jr., and F. H. Hargrove, of Berndt-Maurer Corp.; A. B. Fuller and W. W. Eaton of Eastman Kodak Co.; F. W. Roberts and H. R. Cook, Jr., of Ace Film Laboratories; and B. Haskins, of the Warner studios. F. Ehrenhaft and F. G. Back conducted the demonstration.

In the afternoon, papers were read by E. S. Seeley, Altec Service Corp.; E. K. Carver, J. G. Frayne, G. Friedl, Jr., H. Barnett and E. J. Shortt, International Projector Corp.; R. O. Drew and E. W. Kellogg, RCA Manufacturing Co.; C. W. Handley, D. J. Blumberg and C. L. Lootens, Republic; and A. L. Holcomb, Erpi.

Kate Smith Trial Set

N. Y. Supreme Court Justice McLaughlin yesterday set Nov. 6 as the trial date of the $100,000 damage suit brought by Kated Corp. and Kate Smith against another Kate Smith, doing business as the Smith Co., who allegedly sold dresses called "Kate Smith Stouts." Justice McLaughlin at the same time denied a motion for a temporary injunction.

Theatre, Personnel Notes

Kemper Sells Theatres

SHELBY, O., Oct. 19.—R. T. Kemper, head of Kemper Theatres, Inc., is disposing of the Opera House and State here, and the Crest, recently opened at nearby Crestline. It is understood that he will devote his time to Century Theatrical Enterprises, Buffalo.

Buys Columbus House

COLUMBUS, O., Oct. 19.—James H Moore, Cleveland, has purchased the Lincoln Building from the Buckeye Building and Loan Co., at a cost of $75,000. The building houses the 300-seat Lincoln.

Takes Cincinnati Suburban

CINCINNATI, Oct. 19.—Mannie Marcus, who operates a circuit of theatres in Indianapolis and Ft. Wayne, Ind., has purchased the leasehold of the Clifton, 450-seat suburban, operated for the last 10 years by Saul Greenburg and Harold M. Krent. The house will be remodeled.

Build in Indianapolis

INDIANAPOLIS, Oct. 19.—With permission granted after some delay by the Board of Zoning Appeals, construction will begin soon on a $100,000 neighborhood house, the 1,200-seat Embassy. To be erected by Glenn W. Radel, Indianapolis business man, the theatre will be leased for 20 years by the Olson circuit.

Reopen in St. Louis

ST. LOUIS, Oct. 19.—Dark for several years, the Grand Opera House has reopened as the Grand, with a combination burlesque and film policy. Sam Reider will be manager.

RCA Equipment Deals Set

Following theatres have contracted for the installation of RCA Photophone sound equipment: Capitol, Fayetteville, Tenn.; New Home, Detroit; new theatre at Marionville, Mo.; new house at Inez, Ky., and the Rex, Pittsburgh.

Plans House in N. C.

HAMLET, N. C., Oct. 19.—M. Stafford is to build a new theatre here.

Sell Iowa Theatre

SUMNER, Ia., Oct. 19.—The Cass Theatre Co. of this city has sold the Waucoma Theatre at Waucoma, Ia., to Harold Hall, operator of the Rivola at Elkader, Ia.

Wilson in Brooklyn Opens

The Wilson, Randforce house in Brooklyn, has been reopened with a change of policy. Theatre is now open weekends and only evenings during the week.

Sweeting Builds House

BLOOMINGTON, Ill., Oct. 19.—Frank Sweeting is building a new theatre here. The house is expected to be completed by Jan. 1. It will seat 800.

Reopening S. C. House

BLACKSBURG, S. C., Oct. 19.—J. M. Sellers will reopen the theatre here. It has been "on and off" for a long period.

Gene Austin Draws In Kansas City Lull

KANSAS CITY, Oct. 19.—Weather was normal, competition mild, but first runs failed to impress. Gene Austin and "Hero for a Day" gave the Tower $6,800.

Estimated takings for the week ending Oct. 10-12:

"Here I Am A Stranger" (20th-Fox)
ESQUIRE—(800) (25c-40c) 7 days. Gross: $2,700. (Average, $3,000)
"Golden Boy" (Col.)
"U-Boat 29" (Col.)
MIDLAND — (4,000) (25c-40c) 7 days. Gross: $8,400. (Average, $11,500)
"Honeymoon in Bali" (Para.)
NEWMAN—(1,900) (25c-40c) 7 days, 2nd week. Gross: $5,200. (Average, $7,000)
"The Old Maid" (W. B.)
"Nancy Drew and the Hidden Staircase" (W. B.)
ORPHEUM—(1,500) (25c-40c) 7 days, 2nd week. Gross: $4,200. (Average, $5,000)
"Hero For A Day" (Univ.)
TOWER—(2,200) (25c) 7 days. Stage: Gene Austin & Revue, with Kandy & Koko. Gross: $6,800. (Average, $5,000)
"Here I Am A Stranger" (20th-Fox)
UPTOWN — (2,000) (25c-40c) 7 days. Gross: $3,100. (Average, $3,500)

Brooklyn Greets Cantor in Style

Eddie Cantor made an "underground" arrival in Brooklyn yesterday, via I.R.T. subway, and was guest of honor at a luncheon given by the Downtown Brooklyn Association at the Hotel Bossert. It signalized the start of his one-week personal appearance at Loew's Metropolitan.

The subway trip was unique. Reporters and cameramen boarded a train at the Bowling Green station in downtown Manhattan and interviewed Cantor on the way to the Borough Hall station across the river.

At the Brooklyn terminal Cantor was greeted by a reception committee including civic dignitaries, or actors made up to look like them, Miss Brooklyn, Miss Glamour Girl and Miss North Beach Airport—Loew contest winners—and a brass band.

Cantor at the luncheon urged greater cooperation and understanding between all classes and creeds. He told of his experiences in Europe, raising funds for the resettlement of German refugees.

Fox Sets Campaign, Dates for 'Mohawk'

"Drums Along the Mohawk," which is in 14 reels, will not be restricted as a single feature by 20th Century-Fox, although the distribution department anticipates that most theatres will show it alone. The picture is in color and runs 104 minutes.

The company is aiming for extended runs of the film in five Mohawk Valley cities, locale of the picture, where it will open Nov. 2, ahead of the general release Nov. 10. The pre-release showings will be at the Palace, Albany; Proctor's, Schenectady; Rialto, Amsterdam; Glove, Gloversville, and the Olympic, Utica.

Players will be brought from the studio to participate in the openings, and there will be civic festivities. There will be a dinner in Albany the night before the local opening, with state officials attending.

Wobber Off Sunday To Tour Branches

(*Continued from page* 1)

ferences with Darryl F. Zanuck and screenings of new product.

Wobber's Kent drive itinerary calls for two branch meetings a day in many instances. He will travel by plane over much of the country and will be accompanied by M. A. Levy, Minneapolis district manager and drive leader.

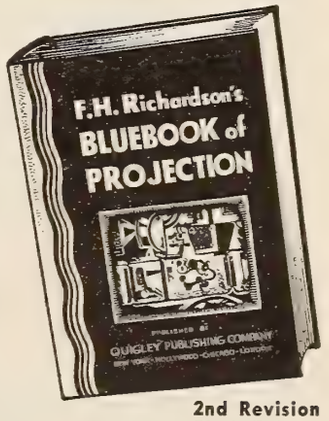
The tentative schedule calls for windup of the trip with a meeting at the New York exchange Nov. 21. This will be Levy's third swing around the country. The Kent drive entered its last half this week.

Canadian branch staffs will attend meetings in the United States. Winnipeg and Calgary managers, salesmen and bookers will attend the Minneapolis session Nov. 8. Montreal and Toronto staffs will convene in Buffalo Nov. 18, and St. John representatives will meet at Boston Nov. 20.

Division and district managers will accompany Wobber and Levy in their territories.

Injunction Battles Florida Music Tax

JACKSONVILLE, Fla., Oct. 19.—A temporary injunction restraining George C. Gibbs, Florida attorney general, and 15 state's attorneys from enforcing laws directing persons, seeking royalties in Florida on copyrighted music, to pay a gross receipts tax and fulfil other requirements was granted today by a special three-judge federal court.



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Trade Critics Draw Attack By Pettijohn

(*Continued from page* 1)

high-flown slogan and an alleged public issue that only the closest study could determine are enough to start an avalanche of letters to Washington from people who assume it must be the thing to do because the publicists and lobbyists of their organizations advise them to do it," Pettijohn said.

Most of these professional lobbyists have axes to grind and jobs to keep, he reminded his audience.

Defends Trade Practices

Citing the experience of the motion picture industry, he said:

"No other medium of entertainment, education and information has been subjected to more self-purification than the movies. Yet pressure groups, whose real ambition is to break up the structure of self-regulation erected for the industry in order that the screen might become a prey to every subversive influence, can always count on hundreds of resolutions declaring that block booking, blind buying, clearance, zoning and other trade practices of the industry affect the morals of the screen."

"Yet, few, if any of these organizations," he said, "contain a single member who could even define the trade practices referred to, let alone understand the part they play in the distribution of motion pictures.

Criticizes False Critics

"Men who have spent lifetimes in the industry have found no better methods than now exist of making available to the smallest exhibitor for a few dollars the costliest productions of the studios for which the big theatres pay thousands of dollars to distributors for first runs.

"Yet certain women's clubs, boys' brigades and sororities do not hesitate by resolution or otherwise to condemn the trade practices of the industry on the pressure charge that these affect the moral content of the screen."

Pettijohn Condemns Outside Interference

OMAHA, Oct. 19.—The Neely Bill "and all other outside interference and attempted regulation of the film industry" were severely criticized by C. C. Pettijohn, M.P.P.D.A. general counsel, in a talk here before a meeting of distributors and exhibitors, prior to his departure for Lincoln.

"If it comes to pass that films are sold individually, exhibitors will try to outbid each other and eventually pay more for the picture than it will take in at their box-office," Pettijohn said. "It just can't be done, from the standpoint of either the exhibitor or distributor."

The general public knows little or nothing about the mechanics of the film industry, and cannot understand the various problems, he said.

Also participating in the discussion at the meeting, held at the Omaha Variety Club, were Charles Williams, president of the M.P.T.O. of Nebraska; A. H. Blank, Tri-States president, and Ralph Branton, Tri-States general manager, and local branch managers.

Sherman Urges Academy Award for Western Films

HOLLYWOOD, Oct. 19.—HARRY SHERMAN, producer of the "Hopalong Cassidy" pictures for Paramount release, has proposed to the Academy of Motion Picture Arts and Sciences that it give a special award for western pictures.

"Westerns have been the backbone of the industry since Hollywood began," he said. "They are in a distinctive class and deserve distinct consideration. Budgets for this type of production have been substantially increased in recent years, and many of the pictures contain true artistic merit. More and more high bracket players are being used by western producers, also better writers and directors.

"Outdoor pictures don't depend, as do many straight dramas, on lavish sets and other devices which fundamentally are non-essentials. Using a backdrop provided by nature, westerns depend solely upon story and acting. Actors who work in them are compelled to do things which would floor the ordinary player. They perform stunts which few would even attempt, so why shouldn't they be accorded recognition?

"I wish it understood that this proposal is made with the whole industry in mind."

"Buried Alive," prison picture which concerns itself more with the lives of the officials behind penitentiary walls than it does with convicts, is shooting at Producers Pictures, with BEVERLY ROBERTS and ROBERT WILCOX in the leads. Supporting are EDWARD EARL, GEORGE PEMBROKE, TED OSBORNE, PAUL MCVEY, ALDEN CHASE, DON ROWAN, PETER LYNN, BEN ALEXANDER, ARCHIE TWITCHELL and others.

"Mister Roosevelt, Won't You Please Run Again?" melody written by JAY GORNEY, author of "Brother, Can You Spare a Dime?" makes its local radio debut on KHJ next Friday on NONA CROFT'S "Hollywood Hi-Lites." Written originally for Hollywood *entre nous* parties, the song is published by Advance Music, Inc.

Warners is seeking JEAN ARTHUR to star in "The Woman Brown," both in the studio's stage production and its later picturization. Written by DOROTHY CUMMINGS MCNABB, the play goes into rehearsals soon with MISS ARTHUR probably going East to confer with Warner executives there before signing any deal. . . . HAL B. WALLIS has elevated JANE BRYAN to stardom following her lead opposite PAUL MUNI in "We Are Not Alone."

The Atlanta Ladies' Memorial Association has made VIVIEN LEIGH an honorary member because of reports of her work as "Scarlett O'Hara" in Selznick's "Gone with the Wind." . . . MAY ROBSON gets a contract extension at Warners. . . . Another to be extended is that of author JAMES HILTON.

Universal has started a new melodrama, "Trouble Is My Middle Name," featuring ROBERT ARMSTRONG and CONSTANCE MOORE. HAROLD SCHUSTER, recently returned from England where his deal to direct a picture for GABRIEL PASCAL was not consummated due to the war, is directing. Supporting players include JEROME COWAN.

MARJORIE RAMBEAU joins the cast of "The Primrose Path," RKO vehicle for GINGER ROGERS and JOEL MCCREA. GREGORY LA CAVA will produce and direct. . . . M-G-M has purchased KAY VAN RIPER'S original story, "Kathleen," story of an estranged girl and her father.

Twentieth Century-Fox is sending RALPH DIETRICH, production assistant, and a camera crew headed by BERT GLENNON to Buenos Aires next month to shoot background scenes for "The South American Way." They will be gone six to eight weeks.

MARY BETH HUGHES, dropped by M-G-M in a retrenchment move, has been signed by 20th Century-Fox to a term contract. . . . GLADYS GEORGE has been signed by WALTER WANGER for the second feminine lead in "The House Across the Bay," JOAN BENNETT vehicle. WANGER intends to put into production "My Personal Life," new title for VINCENT SHEEAN'S "Personal History," before completion of "The House Across the Bay."

Legion Approves 9 Of 11 New Pictures

The National Legion of Decency has approved nine of 11 new pictures reviewed and classified for the current week. Five were approved for general patronage, four for adults, and two were classed as objectionable in part. The new films and the classification follow.

Class A-1, Unobjectionable for General Patronage—"Marshal of Mesa City," "The Mill on the Floss," "Our Neighbors, the Carters," "Pack Up Your Troubles," "Sabotage." Class A-2, Unobjectionable for Adults—"Alma Nortena" (Spanish), "Mr. Smith Goes to Washington," "The Roaring Twenties," "Those High Grey Walls." Class B, Objectionable in Part—"I Met a Murderer," "Mademoiselle Ma Mere."

Painters Wage Plea To Producers Today

HOLLYWOOD, Oct. 19. — Producers will meet probably tomorrow night to draft an answer to the demands for a 15 per cent wage increase made by Motion Picture Painters Local 644. The union announced it will meet Sunday to take a strike vote if the producers fail to provide a satisfactory answer.

Warner-Martin Deal

The latest major circuit deal closed by Warner Bros. is that with the Martin Circuit of Georgia, Alabama and Florida, G. L. Sears, general sales manager, announced yesterday. The deal involves 39 situations in the three states, and was closed by Ralph McCoy, Atlanta branch manager acting for Warners, and by A. E. Adams, general manager of the circuit.

Newsreel Parade

War news takes the spotlight. Navy Day observed and British bombers being held at the coast awaiting the lifting of the embargo in addition to an array of less significant clips round out the issues. The reels and their contents follow:

MOVIETONE NEWS, No. 12—Fall of Warsaw; towns and bridges wrecked; prisoners taken and the Polish envoy meeting a German general. French [illegible] on German soil, advancing front. Navy Day celebrated. Fashions. Lew Lehr.

NEWS OF THE DAY, No. 210.—Navy Day. Warsaw falls. French move forward on West front. British and Nazi sea and air conflicts.

PARAMOUNT NEWS, No. 15—War situation in England. Maxie Rosenbloom weds. Billings' sentense commuted. Dancing exhibition at World's Fair. Giants vs. Eagles and Minnesota vs. Purdue football. War preparedness as Navy Day is observed.

RKO PATHE NEWS, No. 27—Naval maneuvers. Billings freed in California. British bombers in California airport. Test new bomber in Buffalo. Refugee conference in Washington. News reporters with French troops. Stanford vs. U. C. L. A. and Pittsburgh vs. Duke football.

UNIVERSAL NEWSREEL, No. 816—War situation. U. S. fleet maneuvers. New army plane demonstrated. Complete British bombers at Coast airport. Rodeo in Arkansas. L. I. U. freshmen and sophomores in battle. Cornell vs. Princeton football game.

Declares Neely Bill Will Be Expanded

WASHINGTON, Oct. 19.—Representative Lyle H. Boren (Dem., Okla.) declared today that a group of House members will make a "comprehensive" measure out of the Neely Bill when it comes up for consideration at the regular session of Congress.

Boren stressed the salaries paid film company executives, pointing out what he claimed is a wide disparity in remuneration between leading film executives and heads of companies in other industries.

Asks Withdrawal Of Union's Petition

LOS ANGELES, Oct. 19.—Walter Spreckels, regional director of the National Labor Relations Board, has asked Cinema Players, Inc., to withdraw a petition, filed some time ago, seeking certification of itself as sole collective bargaining agency for extra players and stunt men.

Spreckels, in a letter to Roy Lawson of the group who signed the petition, declared the organization had not complied with his request to file supporting evidence that it had a majority of such workers, as it claimed.

Agents Postponing Vote on SAG Pact

HOLLYWOOD, Oct. 19.—Continuing in session until past midnight last night, the Actors' Managers Guild deferred until next Monday night a decision as to whether to sign in its present form the agreement with the Screen Actors Guild governing the future relations of talent with agents.

The managers contended that insufficient time had been allowed for consideration of the terms set forth in the agreement which had been presented in final form two days previously after various revisions.

¿ HABLA USTED ESPAÑOL, SEÑOR ?

THOUSANDS OF YOUR BEST BUYERS DO!

■ The current issue of TEATRO AL DIA—the Quigley Spanish publication devoted to furthering better inter-American motion picture relations—is in the mails today, on its way to 10,000 trade readers in Latin America and Spain. Typical of the comprehensive contents of this issue — such features as the story, by Max de Albán, giving the history of the motion picture and proving that it is America's greatest contribution to the entertainment world—a topic suggested by the uncertainties of European production which the Second World War has come to stress. Also reviews of coming attractions, current events, pictorial and personality pages, technical discussions on the physical theatre, and news from the trade centers in Latin America. If you read Spanish, as thousands of your best buyers do, you will also find in TEATRO AL DIA other interesting topics, some of which are translated here—the lighter, the newsy and the debatable side of trade activities.

It's the Woman That Pays —Judith Is No Exception



Judith Alvarado, Venezuelan show-woman, has the double distinction of being South America's only female theatre operator and the only exhibitor in the world to lose money with "Snow White." She is in New York, back from Hollywood, where she went to find out why (See page 15).



U-Films, of Barcelona, is producing Spanish-language pictures in Rome. "María de la O" y "Los Hijos de la Noche" are the first two features ready for release under this plan by Director Miguel Ligero, who appears in this photo on his arrival in Barcelona, from Italy. More Italo-Spanish product for Latin America is expected (See page 20).

PUEBLA'S TEATRO· REFORMA IS THE PRIDE OF MEXICO



SEATING over 4,500, and using America's latest equipment throughout, Teatro Reforma, Puebla, Mexico, is typical of the growth of show business in Latin America. It is a neighborhood house, and it boasts air-conditioning, floating-garden type of lounges, and a soda fountain. Its projection booth is on a par with the best in this country, and the theatre is magnificently appointed. Native craftsmen worked on the hand-carved marble columns shown in the illustration. Twelve other first-run and neighborhood houses are now going up in Latin America, where at present there is a theatre building boom (See pages 28, 29 and 30).



"I've just returned from Europe, and I know that they are anxious over there to cultivate the Latin American film markets," says Arturo Mom, "the Terry Ramsaye" of South America, in a candid camera interview with "Teatro al Día.



"It's a pity that Hollywood seems to overlook the possibilities of the Latin American markets. Our people show decided preference for American pictures, but you don't want to practice a little psychology in dealing with us—and the result is that French pictures, particularly, touch the spot in Latin America!"



"In fact, Hollywood is not Latin-American minded, although we are very much pro-Hollywood. It seems to me, therefore, that little by little our markets are slipping from the hands of the American producers. A serious, concerted effort is imperative at this time. (See page 15.)

ADV.

Critics Elect Governors, Plan Parley

(Continued from page 1)

ware, Maryland, West Virginia, Virginia and District of Columbia, Harold W. Cohen, Pittsburgh *Post-Gazette.*

District 4—North Carolina, South Carolina and Georgia and Florida, Eddie Cohen, Miami *News.*

District 5—Indiana, Ohio and Kentucky, Boyd Martin, Louisville *Courier Journal.*

District 6—Tennessee, Alabama, Mississippi, Louisiana and Arkansas, Harry Martin, Memphis *Commercial Appeal.*

District 7—Michigan, Illinois and Wisconsin, Buck Herzog, Milwaukee *Sentinel.*

District 8—Iowa, Missouri, Kansas and Nebraska, Keith Wilson, Omaha *World-Herald.*

District 9—Minnesota, North Dakota and South Dakota, Merle Potter, Minneapolis *Times-Tribune.*

District 10—Oklahoma, Texas, Colorado and New Mexico, John Rosenfield, Dallas *Morning News.*

District 11—Washington, Oregon, Wyoming, Montana and Idaho, Herbert Larson, Portland *Oregonian.*

District 12—California, Nevada, Utah and Arizona, Jimmy Starr, Los Angeles *Herald-Express.*

District 13—Canada and Nova Scotia, Roly Young, Toronto *Globe* and *Mail.*

One of the major projects of the Newspaper Film Critics of America will be the taking of an anual poll to determine the best performances of an actor and actress for the year, the best actor and actress in supporting roles, the young actor and actress most likely to make exceptional progress during the next year, and the best picture of the year.

Suitable awards will be made at the Hollywood convention. Proceedings of the banquet, which will be attended by the winners, studio executives and critics, will be broadcast over a national radio hookup.

Merle Potter, Minneapolis *Times-Tribune,* who has directed a national poll of critics for the past three years, will direct the poll in behalf of the N.F.C.A.

British Exhibitors Fear Frozen Cash

(Continued from page 1)

president of the Board of Trade, agreed that the quota situation should be presented to the Board of Trade. The unit plans to demand the institution of a film commission, representing the trade and charged with control of the industry.

Officials of the C.E.A. again will meet with Stanley to study the situation. Stanley has asked details of the needs of exhibitors for the continuance of the industry.

Governmental approval is expected to be given shortly for the general Sunday opening of all theatres. At present, Sunday openings are dependent on local decisions. The change, which probably would be made by an Order-in-Council, would be a great aid to industry revenue, already badly depleted by blackouts.

London Previews Two Outstanding Films Produced During War Crisis

By AUBREY FLANAGAN

London, Oct. 19.—Two British films, previewed here today, strike an exceptionally high entertainment note and contribute considerably to the wartime industry.

"French Without Tears" (Paramount-British), screened at the Plaza, is a brilliantly polished, witty comedy of romantic philandering and mishap in a Continental setting. The situations, dialogue and characterizations are superlative. The scintillating direction of Anthony Asquith enhances the international prestige of Paramount product.

"The Lion Has Wings" (Alexander Korda), official propaganda production, privately shown to Air Ministry and Royal Air Force heads tonight, is a magnificently moving film. It dramatizes, with a personal story, the work and achievements of Britain's air arm. It is particularly inspiring in its panoramas of British fliers and planes engaged in defense and attack, and includes flashes of British pilots leaving for and returning from the recent Kiel raid. It appears destined for a wide international success.

Ampa Learns About New Brooklyn Daily

A new Brooklyn newspaper, to be known as the *Daily Express,* will make its appearance Nov. 9 with Amster Spiro, formerly city editor of the New York *Journal,* as editor and publisher.

This was disclosed at the Ampa luncheon meeting yesterday at Stouffer's restaurant by Johannes Steel, war commentator of WMCA. Steel, formerly foreign editor of the New York *Post,* will be foreign news editor of the Brooklyn paper.

Steel analyzed the war situation and predicted other wars and upheavals which, he said, will keep the world in turmoil for 10 years.

"Once the struggle against Germany is over, the Allies will then have to fight Russia to stem Communism," Steel said.

He foresaw a big demand for propaganda films in the next few years.

Paul Lazarus, Jr., Ampa president, said the following have been admitted to Ampa membership: Eugen Sharin, president, Transatlantic Films; Jules Zeigler, Jonas Rosenfield, Edward Greenberg, Edward Schreiber, Bernard Goodman and Lee Blumberg.

Patricia Donnelly, recently chosen "Miss America" in Atlantic City, and Ray Whitley, RKO player, were yesterday's guests. Whitley is with the Rodeo at Madison Square Garden.

Pioneers to Induct 35 New Members

A class of 35 candidates will be initiated into membership in Picture Pioneers, organization of 25-year industry veterans, following a beefsteak dinner at Colbert's tonight. Membership in the organization now numbers 150.

In addition to New York, members will attend from Toronto, Chicago, Cleveland and Philadelphia.

Ask Libel Suit Dismissal

Motion to dismiss the $100,000 libel suit brought by Ralph Whitehead, executive secretary of American Federation of Actors, against a group of Associated Actors and Artistes of America officials, was filed in N. Y. Supreme Court yesterday. Defendants claim the complaint fails to state a cause of action.

Court Orders Trial Of Blumenthal Case

Action by Ben Blumenthal to collect $1,000,000 in commissions from Paramount, which he alleges is due him under an agreement by which he was to have taken over Paramount's 14 London theatres and handle Paramount distribution in Great Britain, will go to trial in N. Y. Supreme Court here at some future date as a result of a decision handed down by the Court of Appeals in Albany this week.

Blumenthal charges that the agreement was subsequently breached by Paramount.

The Court of Appeals held that the claims were a matter for trial and sent the case back to the lower court here for that purpose. The court's action voided an injunction which Paramount had obtained against Blumenthal earlier, restraining him from prosecuting the action in the British courts.

SWG to Debate War, Elect Officers Nov. 8

HOLLYWOOD, Oct. 19.—Discussion of the effect of the war on industry in general and writers in particular will be one of the principal topics on the agenda at the annual meeting of the Screen Writers Guild on Nov. 8.

Vying for presidency to succeed Donald Ogden Stewart will be Sheridan Gibney and Mary C. McCall, Jr.

Other candidates are: For vice-president, Sidney Buchman and Wells Root; for secretary, E. E. Paramore, Jr. and Dwight Taylor; for treasurer, Boris Ingster and Dore Schary. Forty-two were nominated for the 21 executive board posts.

Kincey and Newbold Deals Made by RKO

Additional circuits signed by RKO for its new season product are the Kincey circuit of 83 theatres in the Carolinas and the Newbold group in Kentucky. The Kincey deal was handled by Cresson E. Smith, Western and Southern sales manager; Robert Mochrie, Southern district head, and Branch Manager Breechen of Charlotte. The Newbold contract was obtained by Salesmen Williams and Kolitz of the Cincinnati exchange.

Latin America Market Pleas To Washington

(Continued from page 1)

the type of film it has put out in the past, Levine told the Committee.

Currency control and quotas which for years have plagued the industry have been made more severe by war conditions in Europe where, in addition, whole markets have been lost, he added.

Levine asked that the distributors not be put under the necessity of meeting arbitrary quotas in Argentina because of the importance of the Latin American market under present conditions, and requested that films be recognized as an essential article of commerce, relieving them of luxury taxes.

Taxes Boosted 550%

Referring to the question of import tariffs, Levine said that the producers must be protected against excessive duties, pointing out that Argentine taxes have increased 550 per cent since 1930 and currently are the highest of all Latin American countries.

He testified also that unless films are classified as articles of commerce, they are subject to a surcharge, due to exchange control, which amounts to about 20 per cent. He added that the government is now attempting to levy a further surtax on remittances from exhibitors to producers in his country, which would not apply in the case of other suppliers of pictures. At least 50 per cent of the gross returns from exhibition must remain in Argentina, due to taxes and exchange control, Levine revealed.

Competition Negligible

Asked by members of the Committee whether the domestic industry's difficulties were due to protection of the Argentina producers or to the exchange situation, Levine said that competition from the native industry was negligible, amounting to only about 50 pictures a year, whereas 350 films are imported from the United States.

Asked whether his fears were not based on what might happen, Levine said that if the industry can obtain the concessions which were granted to all American industries in the French agreement all difficulties would be overcome.

David Lewis, Loew representative in Argentina, testified that the Argentine industry needs very little protection because the films it makes receive wide circulation.

Accompanying Levine and Lewis were Frank Irbe, representing Twentieth Century-Fox, and Joseph Rosenthal of Metro-Goldwyn-Mayer.

Metro Calls Chicago Parley Upon 'Wind'

(Continued on page 11)

of exchange operations; Howard Dietz, advertising and publicity director; Silas F. Seadler, advertising manager; William R. Ferguson, exploitation manager, and Edwin Aaron, assistant to Rodgers.

"Gone With the Wind" is scheduled to have its world premiere at Loew's Grand in Atlanta on Dec. 15 with its Broadway opening at the Capitol on Thursday, Dec. 21.

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VOL. 4[illegible] NO. 79 NEW YORK, MONDAY, OCTOBER 23, 1939 TEN CENTS

Erpi and G.T. Pictures End Patent Battle

Final Settlement Agreed After 10-Year Dispute

An agreement in final settlement of the long pending patent infringement litigation involving A. T. & T., Western Electric and Erpi, on the one hand, and General Talking Pictures Corp., on the other, was reached late last week.

Under the settlement agreement, which removes the case from the Federal court docket after more than 10 years of litigation during which the case went to the U. S. Supreme Court twice, General Talking Pictures receives the right, on request, to be licensed by Erpi to manufacture sound reproducing equipment and public address systems under Western Electric-Erpi patents on the same basis as any other licensee in the United States.

Also agreed upon was the apportionment of the costs of the litigation, including attorneys' fees in addition to ordinary court costs, between the two sides. Erpi receives some of

(*Continued on page 2*)

Allied Units Hear National Leaders

PITTSBURGH, Oct. 22.—Abram F. Myers, general counsel, and Col. H. A. Cole, president, of Allied States Association, will be the chief speakers at the 19th annual convention of the M.P.T.O. of Western Pennsylvania at the Roosevelt Hotel here.

The two-day meeting will open tomorrow and the Allied leaders will address the session on Tuesday. Other speakers scheduled are Sidney Samuelson, national Allied leader, and H. M. Richey of RKO. M. A. Rosenberg,

(*Continued on page 11*)

Columbia Declares Half of Preferred

Columbia's board of directors has declared a dividend of 34⅜ cents per share on account of the regular quarterly dividend of 68¾ cents per share due on the $2.75 convertible preferred stock. The dividend is payable Nov. 15 to stockholders of record on Nov. 1.

The decision to pay only half the preferred dividend is attributed in a company statement to "disturbed European conditions."

BUSINESS CHEER!

$1,500,000 Increase Noted In Theatre Building And Remodeling

Theatre building and major remodeling has taken a marked upturn, with the first nine months of this year recording a volume nearly $1,500,000 greater than in the same period in 1938 in the 37 states east of the Rockies.

The favorable margin was brought about by steady gains over 1938 in the past three months, and the sluggish activity has definitely ended, according to a summary by Dodge Reports.

Contracts awarded during the first three quarters of 1939 for work and materials in theatre building are valued at $17,992,000 by Dodge Reports. Last year the corresponding valuation was $16,568,000.

There were 615 theatre projects reported during the nine months for the 37 states. They included 2,221,000 square feet of floor area. In 1938, during the corresponding period, 592 projects were reported.

Dodge Reports points out that contracts this year reached a peak of $3,383,000 in May, with 97 projects listed. January was the year's low point with 47 projects valued at $811,000.

Theatre contracts in September involved 68 projects at a value of $1,712,000 for work and materials. Last year the September contracts covered 47 projects and amounted to $1,266,000.

Frisco Fair Bankrupt

SAN FRANCISCO, Oct. 22.—With its debts listed at $4,606,914, the Golden Gate International Exposition Friday filed proceedings under a special section of the Federal bankruptcy laws.

U. S. Reports September Admission Tax Yield Highest of Year

WASHINGTON, Oct. 22.—Federal admission tax collections in September touched the highest point of the year so far at $1,852,256, an increase of more than $338,000 over the $1,513,468 collected in August and approximately $183,000 over the $1,668,827 recorded in September, 1939, it was reported yesterday by the Internal Revenue Bureau.

For the first nine months of the current year, collections totaled $14,056,201, slightly more than $3,000 under the $14,059,465 collected in the corresponding period last year, but for the first quarter of the fiscal year used by the government they totaled $4,899,997. This was $187,000 above the $4,712,703 reported for the same period in 1938.

Improved conditions in the Broadway sector were reflected in an increase of $209,000 in collections in the Third New York District, which, the Bureau reported, jumped from $336,191 in August to $545,092 last month.

The increase was due entirely to a jump in collections at the box-office from $287,463 to $503,762, receipts from free or reduced rate admissions dropping from $3,950 to $3,411, on tickets sold by brokers from $4,346 to $3,422, and on admissions to roof gardens and cabarets from $40,431 to $34,380.

There were no collections on permanent use or lease of boxes and seats ($1.44 in August), but $117 was collected on tickets sold by proprietors in excess of the established price, from which there was no return the preceding month.

$2,000,000 at Stake in Ohio Suit Over Film Sales Tax

COLUMBUS, Oct. 22.—Accumulated sales tax on film rentals in Ohio, claimed in a taxpayer's suit, now totals $2,000,000, plus penalties and interest.

Exhibitors and distributors are fighting the suit, which contests a ruling of the State Tax Commission exempting film rentals from the state three per cent sales tax. The levy is on gross sales. If the decision is against the Tax Commission, the state will collect taxes which have been in default since the law went into effect three years ago.

Under the law, the tax would be paid by the exhibitor but is collectable by the distributor, which would remit to the state. The distributors would thus be compelled to pay taxes for exhibitors who have quit business.

The suit seeks a mandamus order against the Tax Commission to compel collection of the tax on film rentals. The I.T.O. of Ohio and the distributors have intervened as interested parties. Attorneys have been granted until Nov. 1 in which to answer the demands.

Seek Walker For Counsel Of M.P.T.O.A.

Board Meeting Today to Urge Acceptance

WHITE SULPHUR SPRINGS, W. Va., Oct. 22.—Frank C. Walker, head of Comerford Theatres, has been offered the post of general counsel of the M.P.T.O.A. and efforts will be made at the organization's annual board of directors' meeting here to induce him to accept.

Walker is now an M.P.T.O.A. vice-president, but has been comparatively inactive in the organization's affairs during the past few years. His acceptance of the post of general counsel, a gratuitous office, however, would project him into a more active position in M.P.T.O.A. affairs.

The late M. E. Comerford, Walker's uncle, was one of the founders of M.P.T.O.A. and was a leader in its affairs for many years. The M. P. T. O. A. still maintains its headquarters in the Comerford offices in New York. Walker was elected a vice-president to fill the vacancy created by Comerford's death.

The post of general counsel to the

(*Continued on page 2*)

Business Optimism Voiced by Wobber

There will be no curtailment of product from 20th Century-Fox, Herman Wobber, general sales manager, has informed field staffs in an optimistic note which foresees better business.

"Business in this country is prospering," said Wobber. "Every section is enjoying a greater measure of prosperity than has been known in

(*Continued on page 2*)

Cohen Calls Special Allied Meeting Nov. 1

Max A. Cohen, president, Allied Theatre Owners of New York, has called a special membership meeting of all regional units for Nov. 1 in Syracuse.

Efforts of a state faction which seeks affiliation with National Allied having met with little success, Cohen says he is now more than ever convinced that the majority of the members approve of the organization's policies. Cohen will report to the meeting on recent developments and will outline future plans.

Seek Walker For Counsel Of M.P.T.O.A.

(*Continued from page* 1)

M.P.T.O.A. has been vacant since the resignation several months ago of Edward G. Levy of New Haven.

Leonard Goldenson, Paramount home office theatre executive, will be named to the M.P.T.O.A. board to succeed Y. Frank Freeman, former Paramount theatre head who is now in charge of the company's studio.

S. J. Hyman, president of the West Virginia Managers' Association, a new M.P.T.O.A. state affiliate, will be named to the national board as the representative of his organization.

In addition, Lyle M. Wilson of Roanoke Rapids, N. C., has been named to the board as representative of the M.P.T.O. of North and South Carolina, succeeding S. S. Stevenson of Henderson, N. C. Morris Leonard of Balaban & Katz, Chicago, has been named to the board to replace Jack Miller, resigned, as representative of the Exhibitors Association of Chicago.

All officers of the organization are slated for reelection. They are: Ed Kuykendall, president; Fred Wehrenberg, chairman of the board; Walter Vincent, treasurer; Morris Loewenstein, secretary, and M. A. Lightman, Mitchell Wolfson, E. C. Beatty and A. Julian Brylawski, vice-presidents.

About 25 national directors of M.P.T.O.A. are expected at the meeting, which will open tomorrow and continue through Tuesday at the Greenbrier Hotel here. Executive sessions will be closed.

The meeting will be addressed by William F. Rodgers, M-G-M general sales manager and chairman of the distributors' negotiating committee, who will participate in the deliberations on trade practices which are expected to play a prominent part in the discussions here.

Wurtzel Honored At Kent Luncheon

Sidney R. Kent, president of 20th Century-Fox gave a luncheon Friday at the Union League Club in honor of Sol M. Wurtzel, executive producer, who is visiting here.

This was New York's observance of Wurtzel's 25th anniversary with the company. A similar luncheon was held at the studio last week before Wurtzel left.

Those who attended the luncheon Friday were Kent, W. C. Michel, Sidney Towell, Herman Wobber, Truman H. Talley, Felix A. Jenkins, Joseph Moskowitz, Spyros Skouras, Walter J. Hutchinson, Wilfred Eadie, Charles E. McCarthy, Alan Freedman, Edwin P. Kilroe, Joseph Pincus, Franklin Underwood, William J. Kupper, William Sussman, W. C. Gehring, Irving Maas, Lea Whelan and Roger Ferri.

Gaynor Quits Columbia

Leonard Gaynor has completed his two-picture special exploitation assignment with Columbia. He was engaged for the "Golden Boy" and "Mr. Smith Goes to Washington" campaigns.

Purely Personal

S. CHARLES EINFELD, vice-president in charge of advertising and publicity of Warners, arrives today from California.

•

JIM RYAN, casting director of the Sol M. Wurtzel unit at the 20th Century-Fox studio, is vacationing here with MRS. RYAN. They are celebrating their 20th wedding anniversary.

•

LOUIS PHILLIPS of the Paramount home office legal department is in Chicago in connection with the Government's contempt proceedings in Federal court there.

•

NATHAN D. GOLDEN, chief of the film division of the Department of Commerce, returned to Washington today from New York.

•

DAVE PALFREYMAN of the M. P. P. D. A. left over the weekend for White Sulphur Springs, West Va., to attend the M.P.T.O.A. meeting there.

•

ROBERT RUSSELL, manager of the Loew-Poli, New Haven, and MRS. RUSSELL celebrated their twentieth wedding anniversary in New York.

•

SCHUYLER BEATTIE, Paramount booker in Albany, is in Washington on vacation, with IRVING MENDELSON substituting.

•

DON AMECHE leaves the Coast this week with MRS. AMECHE for an eight-week tour of Latin America.

•

LEE PATRICK is en route here from the Coast. She will appear soon in a Broadway play.

•

ROBERT TAYLOR is due for a New York visit shortly.

•

DAVID KOMM, owner of the Avenue in East St. Louis, is recuperating from a serious illness.

•

HARRY ARTHUR, vice-president of Fanchon & Marco, flew here from St. Louis over the weekend.

•

LOU WEINBERG of Columbia visited the Albany exchange last week.

•

FRANK CAPRA plans to leave New York for the Coast today or tomorrow.

•

LYNN BARI arrives from the Coast this week for a vacation.

New Theatre Will Rise Opposite Roxy

Owners of the Earl Carroll theatre (lately known as Casa Manana), at 50th St. and Seventh Ave., opposite the Roxy theatre, announce that the complete rebuilding of the present structure will include a modern motion picture theatre, also adaptable to the presentation of television. Berk and Krumgold, theatre real estate brokers, have been appointed to handle the leasing of the theatre and announce that several negotiations are under way.

Warner on Committee

Harry M. Warner has accepted an invitation to become a member of the committee of awards of the *American Hebrew,* to determine the man or woman who has contributed the most toward a better understanding between Jews and Christians in America.

JOSEPH M. SCHENCK has delayed his departure for the Coast until later this week. He has been under a doctor's care for a cold.

•

MEYER DAVIS has been officially thanked by King George and Queen Elizabeth of England for his orchestra's playing during their Majesties' visit to the World's Fair last Summer.

•

BURGESS MEREDITH arrived from Hollywood over the weekend following an assignment at the Hal Roach studios.

•

JOHN PAYNE will leave the Warner studio this week for a month's vacation in Sun Valley and New York.

•

MR. and MRS. FRANK CAPRA arrived from Washington over the weekend for a brief visit in New York.

•

DICK POWELL will head the stage show at the New York Paramount starting Wednesday.

•

FRANK TABLER, operator of the Arcade Airdome in St. Louis is ill and confined to a hospital there.

•

NICHOLAS M. SCHENCK, president of M-G-M, is due from the Coast today.

•

HOWARD STRICKLING is moving into his new house in San Fernando Valley, Cal.

•

CHESTER MORRIS left for the Coast over the weekend.

Picture Pioneers' First Fall Dinner

An overflow crowd attended the first Fall "conference" dinner of the Picture Pioneers at Colbert's restaurant Friday night.

Among those present were:

Judge Ferdinand Pecora (Honorary Member), Leo Abrams, Alexander S. Aronson, Leon J. Bamberger, Nat Beier, Ben K. Blake, Ben Blumenthal, Harry Brandt, Lawrence Beatus, Leo Brecher, Jules E. Brulatour, Harry D. Buckley, Harry H. Buxbaum, Jack Cohn, W. H. Cadoret, Eugene W. Castle, D. J. Chatkin, Max Cohen, Sam Citron, Max A. Cohen, Thomas J. Connors, George F. Dembow, Sam Dembow, Jr., Ned E. Depinet, William A. Downs, Leo M. Devaney, Francis Doublier, Major Tom Evans, S. H. Fabian, John C. Flinn, Alan Freedman, Leopold Friedman, J. J. Fitzgibbons, Ray Gallagher, J. Louis Geller, Jack Goetz, James R. Grainger, Charles J. Gribbon, Arthur Gottlieb, Adolph Haas, Peter S. Harrison, Adam Charles Hayman, William Hedwig, Charles J. Hirliman, Jos. A. Hopfenberg, Hal Hode, Joe Hornstein, Rube Jackter, Emil C. Jensen, Morris Joseph, Arthur W. Kelly, Sherman S. Krellberg, Arthur A. Lee, Joseph J. Lee, David A. Levy, "Chick" Lewis, Fred McConnell, J. J. Milstein, Fred H. Mitchell, A. Montague, Charles H. Moses, Charles Moskowitz, Leon D. Netter, G. B. Odlum, David Palfreyman, Edward J. Peskay, Frank N. Phelps, P. A. Powers, Terry Ramsaye, Al Reid, Herman Rifkin, Herman Robbins, Wm. F. Rodgers, Harold Rodner, Saul E. Rogers, Fred N. Rothenberg, Joe Rothman, Samuel Rubenstein, Lou Rydell, Herman Stern, Maurice Seidlitz, Marvin H. Schenck, M. A. Schlesinger, I. E. Schwartz, Jos. M. Seider, Henry Siegel, Jos. O. Skirboll, George P. Skouras, Spyros Skouras, Charles Stern, Moe Streimer, Harry Thomas, Vincent Trotta, Jos. R. Vogel, Herman Wobber, Jos. Weinstock, Max J. Weisfeldt, Jacob Wilk, Robt. S. Wolff, J. H. Hoffberg, Al Young, Charles S. Goetz, Leo K. Justin, Harry F. Karasik, Jos. A. McConville, Eugene Meyers, Peter Siebel, Jules Levy, Harvey Day, Ed. M. Saunders, Edw. S. Gaylor, Edward K. O'Shea and Charles Casenave.

Erpi and G.T. Pictures End Patent Battle

(*Continued from page* 1)

the G.T.P. licenses in the recording and reproducing field, but the latter's printing patents were excluded from the settlement. Also, the 2 Photophone licenses do not enter in the settlement.

No payments of damages or considerations for releases from claims or charges were involved, T. K. Stevenson, Erpi president, stated.

"Damage claims were a very minor phase of the action even at the outset," Stevenson said. "In initiating the action, in which General Talking Pictures was charged with infringement of our patents, Erpi was mainly concerned with the extension and perpetuation of the defendant's business on the basis on which it existed at the time."

The Supreme Court decided the case in Erpi's favor, but subsequently granted G. T. P. a rehearing. The high court, however, again ruled in Erpi's favor when the case came before it the second time.

The agreement between the litigants last week was reached pursuant to a settlement order of the Federal court at Wilmington in which the action was originated.

Business Optimism Voiced by Wobber

(*Continued from page* 1)

years. Unemployment is being reduced everywhere. Factories, closed for years, are reopening. Newspapers report a continued improvement.

"All this adds up to one thing: bigger business for motion picture theatres. That much exhibitors concede. Their chief worry seems to be that there will not be enough pictures to go around to satisfy their needs. I have said time and again that such will positively not be the case with our accounts."

Schulberg Weds

LAS VEGAS, Nev., Oct. 22.—B. P. Schulberg, film producer, married Helen McHale Keebler, screen actress, here Friday. Schulberg last year divorced his first wife.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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Canada Picks Grierson As Chief of Films

MONTREAL, Oct. 22.—John Grierson, for many years with the British government as an expert on government film relations, has been appointed Canadian Government Film Commissioner. Grierson last year surveyed Canadian government film activities and advised on the drafting of the National Film Act.

Appointment of Grierson, a native of Scotland, was announced by Trade Minister W. D. Euler, chairman of the National Film Board which was set up under the act. The act seeks to correlate film making and distribution.

Grierson's duties of putting the act into force may take about four or five months.

Personnel of the Film Board, besides Chairman Euler, includes: Resources Minister Crerar, J. G. Parmalee, deputy minister of trade and commerce; R. S. Hamer, general executive assistant, Department of Agriculture; Col. V. I. Smart, deputy transport minister; Prof. Walter Murray, former president, University of Saskatchewan; Edmond Turcotte, Montreal, former editor in chief of Le Canada; and C. G. Cowan, Ottawa.

Give Aid to Census, I.T.O. of Ohio Urges

COLUMBUS, Oct. 22. — Cooperation by exhibitors with census enumerators during the national census of business which starts Jan. 2 is urged by the I.T.O. of Ohio.

The census will cover all theatres and other divisions of the industry, covering the year ending Dec. 31, 1939. Among the information to be sought is operating receipts and employment and pay roll figures. All data will be held confidential by the Bureau of Census.

The I.T.O. has distributed sample copies of the forms that will be used to secure theatre data in order that members may familiarize themselves with it.

Broadcasters Form Own Music Source

ALBANY, Oct. 22.—Broadcast Music, Inc., has filed papers of incorporation here with the Secretary of State's office. The capital stock setup authorizes 100,000 shares of $1 par value stock.

The corporation was organized in accordance with a resolution of the recent National Association of Broadcasters special convention at which it was decided that radio stations should develop sources of music independent of Ascap. The stations' contract with Ascap expires Dec. 31, 1940.

First meeting of directors will be held in New York City on Nov. 1, at which time officers will be elected and policies defined.

Import French Film

Juno Films has purchased American distribution rights to "The Human Beast," French film.

Insider's Outlook

By SAM SHAIN

INDUSTRY experts estimate that the annual business being done in England by American film companies is in the neighborhood of $50,000,000. It is estimated further that approximately $15,000,000 of this amount is devoted to operations. Therefore, any restriction of remittances by the British Government would have a most serious effect upon the welfare of all companies.

Although withdrawal of funds from England is now permitted, the situation may change at any time.

England, being at war, naturally is conserving her financial resources so that these may be utilized principally for implements of war, including food and equipment. Of course, films and organized entertainment generally are necessities, too. However, England is not to be blamed for trying to prevent home-spending for anything that is not really vital to her present military cause. Also, it must be England's intention to raise her dollar credits by such restriction of remittances, something experts aver she must do in the present crisis.

Therefore, might it not behoove American film companies to face the situation with understanding? Having depended for so long upon the British market to pull them through, the companies, it seems, are just beginning to realize what a great risk it is to lean altogether on the one market, rather than to develop other markets.

Observers see some good growing out of this. They believe that perhaps the companies may return to the old method of producing films on budgets and on a basis which is predicated on home returns. Perhaps, these observers think, the companies will return to a more sound basis of production—namely, making pictures which can return their negative costs from domestic returns—and let the foreign end be the "velvet"—which it should be only.

WHEN the Cincinnati baseball team this year won the National League pennant for the first time in 20 years it recalled an early tragedy.

In that memorable baseball year when the Reds played the Black Sox team there was an up-and-coming young press agent in Cincinnati, Oscar Doob. Ike Libson was preparing to launch "The Miracle Man" at the Strand Theatre, and Cincinnati was the mecca of the sports world, both for the series and the Latonia Race Track. There were visitors from every part of the country, including numerous film executives—Adolph Zukor, Jesse Lasky, Tom Meighan, George Loane Tucker, besides George M. Cohan of the stage.

Because Moran, manager of the Cincinnati Reds, had become known as the miracle man of baseball, young Doob was inspired to connect the baseball event with the picture. And so, he arranged for a plane—a most unusual stunt in those days—to fly over the baseball field and let drop a straw dummy upon which there was labeled the legend "The Miracle Man." Airplanes were uncommon 20 years ago.

And, of course—with all the bigwigs of Paramount and others of the show world in town—it was vital to Doob that the stunt be executed perfectly.

There came the day of the first game. The plane which Doob had hired took off and trailing from its tail was a huge banner and the straw dummy. Everything seemed all right. The pilot tossed the dummy but he failed to hit the mark. The scarecrow landed a half-mile away from the nearest exit.

Doob was not to be vanquished. The day of the second game came and again the plane took off with dummy and banner. This time the pilot promised he would drop the dummy squarely upon the baseball diamond—or else. The plane swooped over the field and the dummy hurtled through the air and in its swift descent, formed a shadow of reality and fell with a collapsing thud behind third base just as a runner was leaving first on his way to second. The crowd gasped! There were two men on the bases where only one should have been and there was pandemonium!

The stunt worked, but the calamity in the thing was that someone had forgotten to put the banner, carrying the title of the picture, around the dummy. Thus nobody knew what the whole thing was about.

Doob was chagrined.

He was so upset about the failure of the event that he started a campaign against advertising flights over public gatherings and through this he garnered several editorials in the local newspaper, and was responsible even for such an ordinance being introduced in the Cincinnati City Council. In this way he made up in lineage and publicity for the picture which he had failed to obtain with the flying stunt.

THE highest standard in motion picture and stage presentations known to the world is to be found at the Radio City Music Hall. The theatre is an institution where every effort is made to present only that which is the best in quality and in good taste, with dignity. Here is a theatre which is operated for the purpose of entertaining everybody.

Hardly 300 feet away, throwing a shadow across the intersection, is the Waldorf, a grind, which offers a most distinctive contrast. The Music Hall represents an investment of millions. Its decorations and its front are harmonious and impressive. At the Waldorf, the front is literally a frenzy of tawdry and suggestive bally-hoo and the film presentation is "Crusade Against Rackets," which deals with white slavery and such. The presentation at the Music Hall is "Mr. Smith Goes to Washington," the highest type of film entertainment known. It is a picture which should be seen by all Americans. The presentation at the Waldorf is, oh well—what's the use!

Nick Carter Stories Date Back to 1891

HOLLYWOOD, Oct. 22. — When M-G-M recently purchased the film rights to the "Nick Carter" stories, very few on the lot knew that the deal included material written as far back as 1891, when the *Nick Carter's Magazine* appeared. There were 282 issues of this magazine, and in 1897 it became a weekly, publishing 819 issues to 1912. From 1912 to 1915, it was issued as *Nick Carter Stories*, with 160 issues, making a total of 1,261 magazines from which M-G-M can take stories.

PHIL HARRIS joins JACK BENNY'S "Buck Benny Rides Again" cast at Paramount, making the third of the Benny radio troupe to have roles in the film. Others are ANDY DEVINE and ROCHESTER. MERRIEL ABBOTT and her dancers, who appeared in "Man About Town," also rejoin Benny.

EDUARDO CIANNELLI draws an important role in M-G-M's "Not Too Narrow, Not Too Deep". . . BILLIE BURKE has been chosen for "Lover, Come Back to Me," NELSON EDDY-JEANETTE MACDONALD vehicle at M-G-M . . . HARRY SHERMAN has cast NOAH BEERY, JR., and RUTH ROGERS in "Light of Western Stars," ZANE GREY special for Paramount.

BEN JUDELL will put three melodramas before the Producers Pictures Corp. cameras within 10 days at Grand National studios. They are: "Gold Star Mothers," aimed at a Nov. 11 release; "Mercy Plane," story of the "hot" airplane racket, and "The Invisible Killer," from "CARTER WAYNE'S "Wanted for Murder."

Film Trade Enlists In Chicago Drive

CHICAGO, Oct. 22.—The amusement industry here will play an important role again this year in the solicitation of $3,611,000 for the Community Fund of Chicago in behalf of 178 charities in the city. City-wide agencies representing the Protestant, Catholic and Jewish faiths and non-sectarian organizations are included in the affiliated agencies.

Jack Kirsch, president of Allied Theatres of Illinois, will be the industrial chairman of the amusement group. John Balaban has accepted the chairmanship of the advisory committee, which includes himself, Kirsch, Clyde W. Eckhardt and Edwin Silverman. Additional members will be named to the committee. The campaign will start tomorrow.

50% Boost in Jobs For Chorus Equity

A 50 per cent rise in employment for members of Chorus Equity has taken place thus far this year, compared to the corresponding period in 1938, Ruth Richmond, executive secretary, declared Friday. Now employed in current Broadway legitimate stage productions are 514 members, while an additional 80 are in rehearsal.

A BRAND NEW ROLE FO

Joe Turns Copper in c



(Reproduced above is the smash full-color 24-sheet poster)

Here's the funniest Brown picture eve

A GRAND LAUGH STAR !

Whopper of a Comedy!



SPOOKS!

screen play by RICHARD FLOURNOY
ALBERT DUFFY · BRIAN MARLOW
Directed by EDWARD SEDGWICK

A COLUMBIA PICTURE

ilmed...a hilarious, hair-raising vehicle!

'Bali' Scores Denver Lead With $8,400

DENVER, Oct. 22.—"Honeymoon in Bali" took $8,400 at the Denham. "Hollywood Cavalcade," at the Denver was good for $9,500.

Estimated takings for the week ending Oct. 18:

"The Old Maid" (W. B.)
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $3,800. (Average, $3,500)
"Thunder Afloat" (M-G-M)
"Way Down South" (RKO)
BROADWAY—(1,040) (25c-35c-40c) 7 days, 2nd week. Gross: $2,000. (Average, $2,500)
"Honeymoon in Bali" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days. Gross: $8,400. (Average, $6,500)
"Hollywood Cavalcade" (20th-Fox)
DENVER—(2,525) (25c-35c-40c) 7 days. Gross: $9,500. (Average, $9,000)
"Nurse Edith Cavell" (RKO)
"The Day the Bookies Wept" (RKO)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $7,000. (Average, $9,000)
"They Shall Have Music" (U. A.)
"Charlie Chan at Treasure Island" (20th-Fox)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,000. (Average, $3,500)
"Angels Wash Their Faces" (W. B.)
"The Witness Vanishes" (Univ.)
RIALTO—(878) (25c-40c) 7 days. "Angels" 2nd week. Gross: $2,000. (Average, $1,750)

Ontario Considers Ticket Tax Revival

TORONTO, Oct. 22.—From Ontario Government sources it is learned that return of the amusement tax will be dealt with at the next session of the Provincial legislature which will be called in January to consider further war time measures, following an emergency session last month.

It is believed the tax may be collected as a percentage of box-office receipts, certified reports of which would be required by the Government for assessment purposes. This will avoid the use of tax tickets which were common until the levy was abolished June 1, 1937.

"We have always contended that the amusement tax is unfair. To single out one industry for special taxation is unfair," declared Col. John A. Cooper, president of the Motion Picture Distributors of Canada, in announcing that the move would be opposed by the theatres.

Providence Houses To Back Child Ban

PROVIDENCE, Oct. 22.—Providence exhibitors have voiced willingness to cooperate with the ruling of City Solicitor Needham that children under 10 should not be admitted to theatres unless accompanied by a person over 18.

The ruling had been sought by the Bureau of Police and Fire following the panic at the Empire last Sunday in which 26 children were injured. Needham promised prosecution of any violations of the ruling brought to his attention by the police.

Louis Libson Dies

CINCINNATI, Oct. 22.—Louis Libson, projectionist at Keith's here, died at the Jewish Hospital following a heart attack suffered in his office. Two brothers, Ike Libson, vice-president and managing director of RKO in the Midwest, and Abe Libson, theatre operator, and three sisters survive.

London Previews

"Ten Days in Paris"

(Irving Asher-Columbia)

LONDON, Oct. 5 (*By Mail*).—This, third of Irving Asher's British films for Columbia, has even more production polish and a greater measure of entertainment than its two predecessors; and that is no small compliment. It may have no marquee name, though Rex Harrison herein knocks spots off a large army of contemporaries—but it does offer the exhibitor and his public a slick, gracious and skillfully concocted hour and 20 minutes of refreshing entertainment with elements of appeal to a wide variety of audiences and levels of taste.

Unlike many of its local fellows, it is blessed with an original story, it has a personal element which means something, it has mystery, sophistication, romance, spectacle and thrills—and it will stand technical comparison with the best average Hollywood effort. Greatest compliment to be paid is that its country of origin is forgotten in sheer enjoyment.

The subject is topical—without being somber—in that its story concerns a young man who loses his memory in a plane crash, and finds himself caught in a spy racket revolving around the Maginot Line. Harrison is a delight as the young man who adventurously accepts being mistaken for a Countess's butler, and after various excitements chases a munitions train to save it from being blown up in the fortifications. Harrison herein arrives, with a neatly tailored part which exploits his pleasing and whimsical personality to the full. Karen Verne, the new Asher discovery, looks and sounds agreeable.

The French settings, expertly detailed and convincing, and the genuine Paris location work, add to the interest, and the minor roles are handled very competently. John Meehan and James Curtis did a brilliant script job and Tim Whelan's direction is above criticism.

While there may be nothing considerable for the marquee, the film is one of those which will reap word-of-mouth publicity and which should be as welcome on one side of the Atlantic as on the other.

Running time, 80 minutes. "G"* AUBREY FLANAGAN.

**"G" denotes general classification.*

"An Englishman's Home"

(Aldwych-United Artists)

LONDON, Oct. 5 (*By Mail*).—As a prewar stage play the original from which this has been adapted was a sensation, by its very daring in tackling the subject of invasion. Today it postulates in highly lurid hues a potentiality, tunes itself to the mold of the moment by the spectacle of foreign warplanes dropping troops by parachute on a fog-bound England!

Some audiences may find such pabulum highly topical, may even be glad of a masochistic thrill. No small number, however, will hate to be reminded of the grim realities of the war. It remains to be seen which section will predominate. Actually the thrills of invasion herein pictured are laid on with a more than melodramatic hand—and it remains, it would seem, a stage play.

The story revolves around a country home with a powerful radio set, cunningly developed by the friendly local radio dealer, really an enemy spy, and the enemy bombers which drop troops to guard this vital radio eye to aid the invading squadrons. The canvas of British solidity having been tinted, the dramatic palette is search for more lurid tints to depict the ruthless invader, his firing squads and courtly cruelty, and to paint at last a heroic fresco of British courage when a family friend goes up and bombs the homemade radio station and sends the enemy scuttling back home.

It is blatantly melodramatic stuff with jackboots and tin helmets, the roar of enemy bombers and the crackle of anti-aircraft battalions, all, despite the modern flavor of its air war, rather dated in style and matter. There is a pictorial peroration on Britain's aerial might with a sound track vigorously registering "Land of Hope and Glory."

Edmund Gwenn has the role of the Englishman whose home is invaded and who is shot eventually by the ruthless invader, while Mary Maguire, Geoffrey Toone and Paul von Heinried call for mention, each being capable.

Running time, 72 minutes. "A"* AUBREY FLANAGAN.

**"A" denotes adult classification.*

De Mille Buys Story

HOLLYWOOD, Oct. 22.—Cecil B. DeMille, Paramount producer, has purchased "The Sun of Glory," story of the Southwest by J. Robert Bren and Gladys Atater.

Whitcomb Rites

PORTLAND, Ore., Oct. 22.—Funeral services were held here Friday for Vern T. Whitcomb, head booker at the 20th Century-Fox exchange here, who died suddenly Wednesday.

'Babes' Pulls Big $31,200, Los Angeles

LOS ANGELES, Oct. 22.—"Babes in Arms" and "Charlie Chan at Treasure Island" drew a total of $31,200 at two houses, $14,900 at the Chinese and $16,300 at Loew's State. "Honeymoon in Bali" cleared $19,000 at the Paramount.

Estimated takings for the week ending Oct. 18:

"Babes in Arms" (M-G-M)
"Charlie Chan at Treasure Island" (20th-Fox)
CHINESE—(2,500) (30c-$1.00) 7 days. Gross: $14,900. (Average, $12,500)
"Hollywood Cavalcade" (20th-Fox)
4 STAR—(900) (40c-50c) 7 days, 2nd week. Gross: $6,700. (Average, $3,250)
"Nurse Edith Cavell" (RKO)
"The Day the Bookies Wept" (RKO)
HILLSTREET—(2,700) (30c-65c) 7 days, 2nd week. Gross: $7,500. (Average, $6,500)
"Babes in Arms" (M-G-M)
"Charlie Chan at Treasure Island" (20th-Fox)
LOEW'S STATE—(2,500) (30c-$1.00) 7 days. Gross: $16,300. (Average, $14,000)
"Nurse Edith Cavell" (RKO)
"The Day the Bookies Wept" (RKO)
PANTAGES—(3,000) (30c-65c) 7 days. Gross: $5,700. (Average, $7,000)
"Honeymoon in Bali" (Para.)
PARAMOUNT—(3,595) (30c-65c) 7 days. Stage: Harry Owens and his Royal Hawaiian Orchestra, Fanchonettes. Gross: $19,000. (Average, $18,000)
"The Real Glory" (U. A.)
"Waterfront" (W. B.)
WARNER BROS. (HOLLYWOOD)—(3,000) (30c-65c) 7 days. Gross: $13,500. (Average, $14,000)
"The Real Glory" (U. A.)
"Waterfront" (W. B.)
WARNER BROS. (DOWNTOWN)—(3,400) (30c-65c) 7 days. Gross: $14,500. (Average, $12,000)

Morris Cohn Heads Omaha Variety Club

OMAHA, Oct. 22.—The Omaha Variety Club has elected Morris Cohn chief barker for 1940. He replaces H. J. Shumow, M-G-M branch manager.

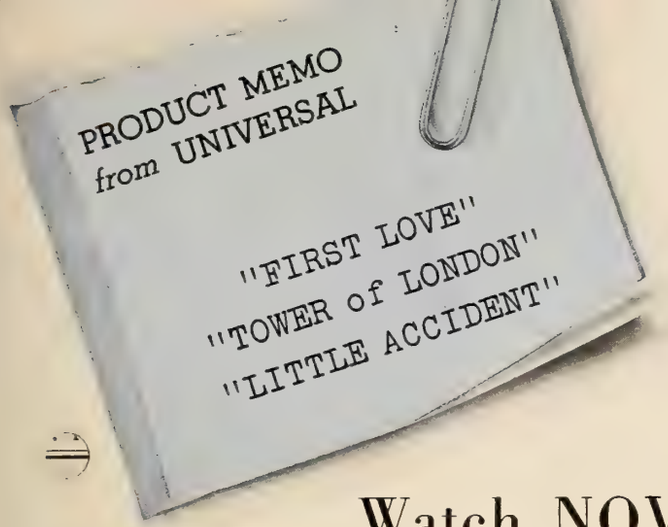
Other officers are: E. R. Cummings, first assistant; Sam Epstein, second assistant; Meyer Stern, treasurer; Edward Shafton, secretary. New board members include the officers and: D. V. McLucas, Eugene Blazer, Ted Mendenhall, Walt Green, John Gillin and Shumow.

Ticket Brokers Bill Will Have Hearing

Mayor LaGuardia is expected to set a date this week for a public hearing on the Spellman bill, passed by the City Council last week. The hearing is mandatory. The bill provides for limit of 75 cents advance by ticket brokers over the box-office price. Associated Theatre Ticket Agencies disclosed over the weekend that the organization will oppose the bill and challenge its constitutionality in the courts if it is signed.

Ex-L. A. Mayor Sues Warners Over Film

LOS ANGELES, Oct. 22.—Frank L. Shaw, former Mayor of Los Angeles, has filed suit for $1,000,000 against Warners charging that the film, "The Man Who Dared," allegedly inferred that he had instigated the bombing of a private investigator. Also named as defendants are Harry and Jack L. Warner, Bryan Foy and Lee Katz.



Watch NOVEMBER 10th *for the* YEAR'S SURPRISE SCREEN SURPRISE!

A Deanna grown to young lady-loveliness... to mean romantically more... to her fans and to you!

The NEW UNIVERSAL
presents

Deanna DURBIN

in

"FIRST LOVE"

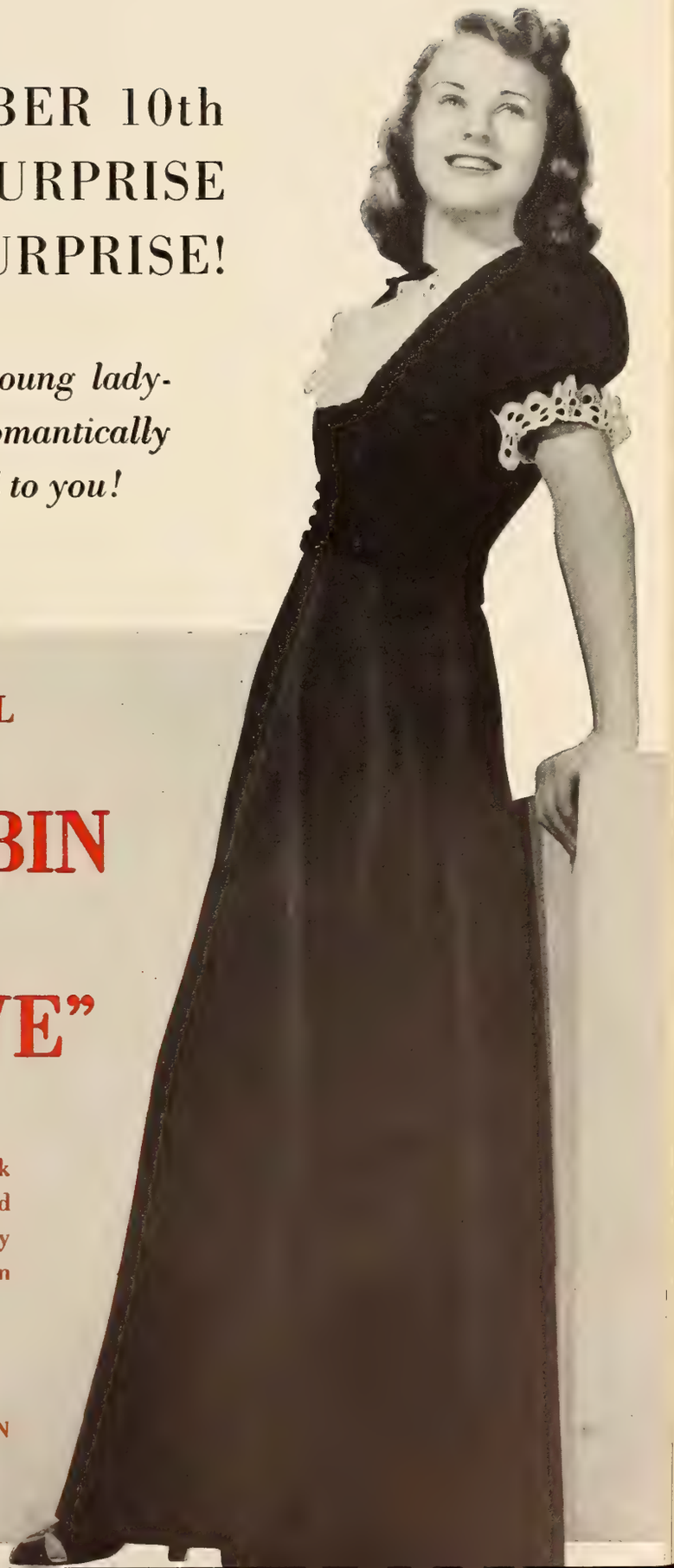
★

with Helen Parrish • Robert Stack
Eugene Pallette • Lewis Howard
June Storey • Leatrice Joy
Marcia Mae Jones • Charles Coleman

★

Directed by Henry Koster
Produced by Joe Pasternak

A HENRY KOSTER PRODUCTION




History dubbed this hunch-backed plotter "A monster in silks!"
A royal thug, blood-brother to the devil himself, who laid the loyalty of men, the love of women low, that he might work his twisted plans to horrible perfection!

IN the story of this diabolical, misshapen figure, the screen presents a spectacle of unequalled magnitude...the wide-swept furies of a nation driven to maniacal revolt... the shadow of a bestial-faced executioner...a populace screaming for revenge!



UNIVERSAL presents

"TOWER of LONDON"

NATIONAL RELEASE OCT. 27th

Starring **Basil RATHBONE**

with **BORIS KARLOFF**

BARBARA **O'NEIL** · IAN **HUNTER**

VINCENT **PRICE** · NAN **GREY**

John Sutton, Leo G. Carroll, Miles Mander, Lionel Belmore, Rose Hobart

Original screenplay by Robert N. Lee
Produced and Directed by Rowland V. Lee



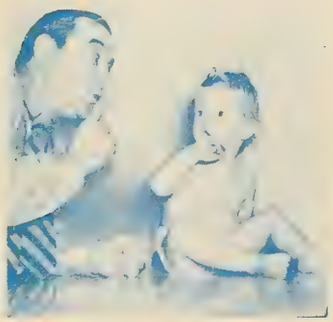


a **ROWLAND V. LEE** production

WOO WOO! Watch them clamor for Baby SANDY'S Glamour!



SPECTACLE! Sumptuous bath-tub scenes (apologies to Mr. DeMille)



MYSTERY! SUSPENSE!



LOVE DIVIDED!



BEAUTY SHOW for the T. B. M.

SANDY SELLS SEATS!

Critics, fans, young and old—
You'll find them all Sandy-sold!

***NEW* UNIVERSAL presents**

HUGH HERBERT in "LITTLE ACCIDENT"

with **FLORENCE RICE · RICHARD CARLSON**
JOY HODGES · ERNEST TRUEX · FRITZ FELD
and **BABY "SANDY"**



LIFE looks at SANDY
and all America falls helplessly in love with her!



Original screenplay by Paul Yawitz and Eve Green
Developed from the play by Floyd Dell & Thomas Mitchell
Produced and directed by CHARLES LAMONT

NATIONAL RELEASE OCT. 27th

Chicago Daily Drops 'Critic' Film Reviews

By WILLIAM F. CROUCH

CHICAGO, Oct. 22.—Hereafter film reviews in the Chicago *Daily News* will be of a reportorial rather than a critical nature. Since Clarence Bulliet has taken over the reviewing of pictures following the resignation of Clark Rodenbach, there has been an absence of criticism.

It is understood that Drama Editor Lloyd Lewis also issued orders to review only pictures of merit. Both newspaper readers and theatre officials are said to be highly in favor of the new system.

While John Barrymore continues to draw vast crowds with his play, "My Dear Children," his ex-wife, Elaine Barrie Barrymore, is seen on the screen of several local theatres in "How to Undress Before Your Husband." Much emphasis is being put on the Barrymore name by theatres playing the short, which has caused much comment as to how it passed the local censor.

Tom Gorman and Bob Haley of RKO theatres have been staging a "Fifth Avenue Girl" contest through Roy Topper, contest editor of the *Herald-American,* that has brought big results. Ginger Rogers will give the winning "poor girl" $100 to buy clothes and have a day as a "rich girl." Besides getting a new wardrobe the winning girl will stay at the Blackstone, dine at the Chez Paree and appear at the Palace.

Rube Levine, theatre broker, has filed suit in Circuit Court here seeking a $1,000 fee he claims is due him for obtaining a theatre lease to the Bell Theatre for Mrs. Eva Marcus. Named as defendants in the suit are Mrs. Marcus, George Sommers, George Lang, Elmer Benesch and Sam Kleven.

More out-of-town exhibitors attended the preview of "Mr. Smith Goes to Washington" at the Esquire the other morning than any previous screening. It was estimated that representatives of 100 downstate theatres come to Chicago specially for the event.

Ashton Stevens, veteran drama critic of the Chicago *Herald-American,* was so impressed with "Babes in Arms" that he devoted a column to Mickey Rooney's performance. Stevens said he would like to see Rooney on the stage in a song and dance show with Olsen & Johnson, Bea Lillie, Joe Cook, Eddie Cantor, Al Jolson, Jimmie Durante and Ethel Merman, predicting he would more than hold his own in such fast company.

"Clocking the Jockeys," a one-reel short made by Chicago's Fox Movietone News cameraman, Emil Montemurro, was screened for local sports editors. The picture was made during the Arlington Park race meet here last Summer.

Strong Season in Opera Is Anticipated This Year

New York is due for a record opera season this year, the Metropolitan Opera management reports. Advance ticket sale and seasonal reservations are heavy, with initial returns so far reflecting a marked spurt. Earle R. Lewis, assistant general manager, believes the war is making New York the No. 1 music spot in the world.

The regular season of 16 weeks opens Nov. 27, and plans are afoot to negotiate a six-week tour. Last year the Met. contingent visited Boston, Baltimore, Rochester, Cleveland, Dallas and New Orleans.

The Met.'s roster of major singing artists is 66 per cent native. Wagnerian fare is still the best draw, and there is no movement around to stop the German pieces from being presented on schedule.

Edward Johnson, general manager, is preparing the official repertoire, which will be announced the end of this month. While Wagner is the big money-maker, it is not likely that any of his works will be chosen as an opener.

Among the new singers is a tenor, Eyvind Laholm, an ex-U. S. Navy man, born Johan Edwin Johnson, in Wisconsin. Other new artists are: Jarmila Novotna, lyric soprano; Hilde Reggiani, coloratura soprano; Alexander Kipnis, basso; Lodovico Oliviero, tenor; Annamary Dickey, soprano; Mark Harrell, baritone, and Frank St. Leger, assistant conductor.

RCA Officials Face Stockholders Quiz

Application for an order directing James G. Harbord, David Sarnoff, Owen D. Young, Gerard Swope, Cornelius N. Bliss, Paul D. Cravath, Bertram Cutler, Edward W. Harden, De Witt Millhauser, Edward J. Nally, Andrew Robertson, Harold Smith and officers of RCA, General Electric Co. and Westinghouse Electric & Manufacturing Co. to testify before trial was filed in N. Y. Supreme Court Friday by eight RCA stockholders and will be heard today by Justice Aaron J. Levy. Stockholders claim in their suit the transfer of a large block of RCA stock to General Electric and Westinghouse for an invalid consideration.

NLRB Fight Ended By Cinema Players

LOS ANGELES, Oct. 22.—Cinema Players, Inc., has withdrawn without prejudice its petitions before the N.L.R.B. seeking to be designated as sole collective bargaining agency for extra players and stunt men. The union criticized the Board for delays in considering the petitions, which were filed nearly a year ago.

Walter Spreckels, regional labor board director, had asked that the petitions be withdrawn because the Cinema Players reportedly had failed to supply evidence supporting its claims.

New KDKA Plant Ready

PITTSBURGH, Oct. 22.—New KDKA transmitting plant at Allison Park will be ready for operation about Nov. 1, technicians in charge of the work declared today.

Curfew!

Muncie, Ind., Oct. 22.—Curfew does ring tonight at Muncie. Police invoked a 43-year-old law to keep boys and girls under 15 off the streets after 8 P. M. each night. Their action followed a flurry of juvenile crime.

Radio Personals

G. T. C. Fry, assistant sales promotion manager for *Esquire,* will take over the sales promotion work for the CBS Detroit office on Nov. 1. Victor M. Ratner, sales promotion head for the network, disclosed yesterday. . . .

Barry Wood succeeds Lanny Ross who leaves "Your Hit Parade" after the Saturday, Oct. 28, broadcast. . . . Clark Gable guests with the Chase and Sanborn hour, Sunday, Oct. 29, at 8 P. M., over NBC-Red. . . .

Sam Brown, WMCA announcer, and Jack Ward, staff organist, have published a new song, "The Candle Burns." . . . Raymond Hollingsworth, merchandising manager for KGNC, has joined the staff of KTSA, San Antonio, in the same capacity, while James Stanberry goes from KTSA to KGNA. . . .

Charles Stark, CBS announcer, is compiling a book composed of the best stories on his program, "The Odd Side of the News." . . . Blaine Cornell has been promoted to the post of program director at KXOX, St. Louis, succeeding Allen Franklin who has joined the production staff of Carl Wester agency. Alex Buchan has taken over Franklin's spot as chief of the sports staff. . . .

WINS staff announcers presented Foster Williams with a signet ring in appreciation of his services as union deputy.

Allied Units Hear National Leaders

(Continued from page 1)

president, will preside, and Charles Philbrook is in charge of convention arrangements. Open meetings will be held both Monday and Tuesday.

Myers Will Address Indiana Unit Today

INDIANAPOLIS Oct. 22.—Abram F. Myers, general counsel and chairman of the board of Allied States, will speak Monday afternoon at the 13th annual convention of the Associated Theatre Owners of Indiana at the Hotel Antlers. He plans to fly from here to Pittsburgh to address the M.P.T.O. of Western Pennsylvania on Tuesday.

The Indiana meeting will be Monday and Tuesday, ending with the annual banquet Tuesday night when H. A. Cole, president of Allied, and Raymond B. Townsley, commander of the Indiana department of the American Legion, will be among the speakers.

Light Shows Emphasized By CBC Web

TORONTO, Ont., Oct. 22.—With the war upsetting preliminary plans of the Canadian Broadcasting Corp. for the Fall and Winter season, the company has drawn up a schedule of features in which has been placed "special emphasis on musical and variety programs of a light and cheerful sort," although the best that is available in symphonic music will not be sacrificed in any way.

Intimation has been made that the CBC will not continue its series of Shakespearean plays which was inaugurated last Winter with guest stars such as Cedric Hardwicke and Walter Huston, these having been dropped because of the war. It was rumored that each of the half-dozen Shakespearean plays had cost the CBC upwards of $15,000 and there were complaints instead of applause from radio fans. Popular military programs, dealing with the life and amusements of the soldier, will replace the Shakespearean series. These programs, scheduled to start late in October, will be organized in cooperation with the Department of National Defense.

Symphony concerts on the network include the Philharmonic-Symphony Orchestra of New York, directed by John Barbirolli, each Sunday; Toronto Symphony Orchestra, under Sir Ernest MacMillan, starting Oct. 24; Les Concerts Symphoniques de Montreal, and an entirely new series by the Vancouver Symphony Orchestra.

Because of the international situation, some difficulty has been experienced, it is said, in the engaging of foreign artists for personal appearances before the microphone. Germans and Russians are definitely out while those of other European countries are scarce. For the opening concert of the Toronto Symphony Orchestra on Oct. 24, the guest will be Georges Enesco and it has been emphasized that he is of Rumanian origin.

Ascap Chiefs Fight Washington's Law

E. C. Mills, chairman of the Ascap administrative committee; Louis D Frohlich and Herman Finkelstein of Schwartz & Frohlich, Ascap counsel, will go to Tacoma within the next few days to argue there in support of motions for an injunction to restrain the state of Washington from enforcing its anti-Ascap law.

The trio returned to New York yesterday from Jacksonville, Fla., where they won a temporary injunction from a three-judge Federal statutory court restraining state officials from enforcing the old and new Florida anti-Ascap laws pending court study of a large amount of records involved in the case.

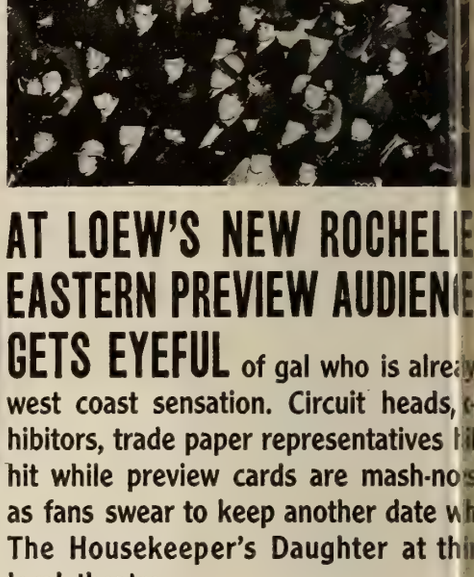
Buy Texas Station

GLADEWATER, Tex., Oct. 22.—The Commissioners Court of Gregg County has approved purchase of Station KTSP, the county police station operated the past three years at Longview. The sale price was $5,000.

HEAT HITS EAST, WEST

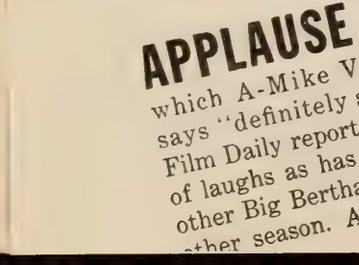
San Diego and New Rochelle Blame Rising Temperatures on Housekeeper's Daughter



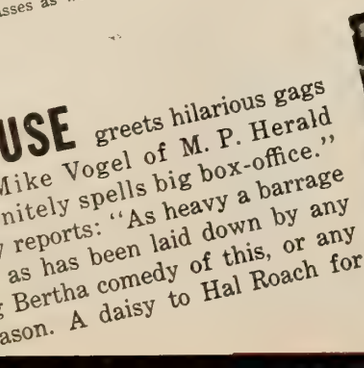


AT LOEW'S NEW ROCHELLE EASTERN PREVIEW AUDIENCE GETS EYEFUL of gal who is already west coast sensation. Circuit heads, exhibitors, trade paper representatives hit hit while preview cards are mash-notes as fans swear to keep another date with The Housekeeper's Daughter at this local theatre.

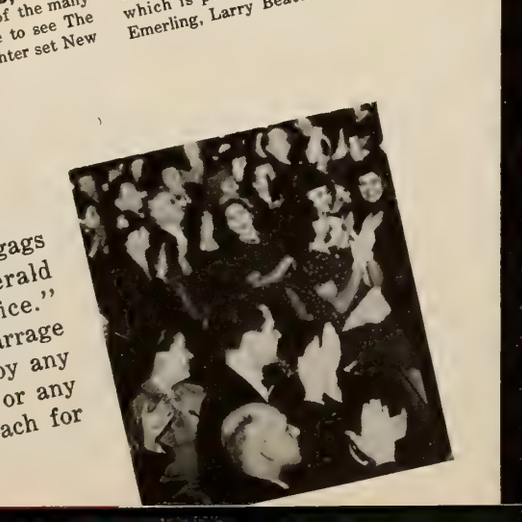
SHE GAVE THEM THE BUSINESS IN SAN DIEGO...
the biggest business the California Theatre has done in its eight year history. And she moves over to the Plaza for an extended run.



PETE HARRISON TELLS TOM WALKER, Eastern Representative for Hal Roach: "The most highly entertaining comedy I have seen in years. And what's more, it appeals to the masses as well as the classes."



GEORGE SKOURAS, famous theatre man, is one of the many notables in the trade to see The Housekeeper's Daughter set New Rochelle on its ear.



LOEW BIG SHOTS GET LOW-DOWN on what she does to an average audience.. which is plenty! Left to right· Ernest Emerling, Larry Beattis, Oscar Doob.

APPLAUSE greets hilarious gags which A-Mike Vogel of M. P. Herald says "definitely spells big box-office." Film Daily reports: "As heavy a barrage of laughs as has been laid down by any other Big Bertha comedy of this, or any other season. A daisy to Hal Roach for

LEON NETTER OF PARAMOUNT SAYS:

"An excellent piece of entertainment that will please all types of people. Comedy sequences well developed, consistent with the story. Laughs planted well and plentifully . . all in all, a splendid evening's enjoyment."

HAL ROACH *wants you to meet*

"The

HOUSEKEEPER'S DAUGHTER

starring

JOAN BENNETT · ADOLPHE MENJOU

And Introducing
Hollywood's Newest Heart-throb JOHN HUBBARD

Wm. GARGAN Geo. E. STONE Peggy WOOD Donald MEEK Victor MATURE

Directed by HAL ROACH

Screen Play by RIAN JAMES and GORDON DOUGLAS
From the Novel by DONALD HENDERSON CLARKE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 80 NEW YORK, TUESDAY, OCTOBER 24, 1939 TEN CENTS

$1,200,000 Net For 1939 Seen By Universal

Final Quarter to Reveal Continued Profit

A net profit for Universal Pictures in excess of $1,000,000 for the fiscal year ending Nov. 2 is indicated for the company as a result of current statements showing a profitable final quarter, Wall Street sources report.

Earnings for the first three quarters of the current fiscal year were reported at $989,995. In the final quater, August and September operations were in the black and current indications are that October results also will show a profit.

Allowing for year-end adjustments which may have to be made during the final quarter, Universal's net for the fiscal year may be around $1,200,000.

Universal will release seven new productions during the next three weeks, capping its release list for the period of its exhibitor sponsored testimonial sales drive which ends concurrently with the company's fiscal year.

The forthcoming releases consist of "Little Accident" and "Tower of London," Oct. 27; "The Road Back," "Call a Messenger" and "Legion of Lost Fliers," Nov. 3; "First Love" and "One Hour to Live," Nov. 10.

Suit By 3 Creditors Hits Grand National

A petition demanding the adjudication of Grand National Pictures, Inc., as a bankrupt was filed in U. S. District Court yesterday by three creditors. As alleged acts of bankruptcy the petition charged Grand National

(*Continued on page 6*)

Exhibitors Fighting Ohio Pension Plan

COLUMBUS, Oct. 23.—Ohio exhibitors are fighting the Bigelow proposal for a constitutional amendment at the Nov. 7 election, which provides for a guaranteed monthly income of $50 for individuals and $80 for married couples of 60 years or over, "who are retired from gainful occupations as wage earners."

Adoption of the amendment will increase the tax load an estimated $3,000,000 annually, according to

(*Continued on page 8*)

Industry in Texas Under State Quiz; Study Two Circuits

DALLAS, Oct. 23.—The state attorney general's office today turned its attention to the Texas theatre industry in its program of study and investigation of "big business" within the state.

Investigators began a study of the records of several large theatre circuits, including Interstate and Texas Consolidated and the Gordon-Clemmons Circuit.

The state investigation has encompassed 12 other industries to date. In the case of 11 of these industries no subsequent action or recommendations have been made as a result of the attorney general's study.

B. C. Houses Win Operator Slashes

VANCOUVER, B. C., Oct. 23.—Suburban houses operating during evening hours with Saturday matinees, as well as a large number of theatres in smaller British Columbia towns, will benefit by a new order of the Provincial Government.

Now, only one projectionist is required during operating hours for all theatres open 40 hours or less per week. The projectionists union plans to fight the new order, claiming 118 operators, receiving about $195,000 in wages annually, will be thrown out of work.

Wilcox Productions Suspend in London

London, Oct. 23. — The winding up of Imperator Films Productions, Ltd., and Herbert Wilcox Productions, Ltd., both under the aegis of Herbert Wilcox, is formally announced from London.

A letter to creditors states that as a result of the outbreak of war and the uncertainty of production it has become necessary to discontinue activities.

Monogram to Raise Budgets on 11 Films

Following a meeting of Monogram's franchise holders' advisory committee in Kansas City over the weekend, Monogram disclosed yesterday that it intended to boost production budgets on 11 films by as much as 50 per cent. No figures were given.

"Rip Van Winkle," an untitled film for Jackie Cooper, "His Father's Son," "Son of the Navy," "Under Northern Lights," "Haunted House," "Queen of the Yukon," "Freckles Comes Home" and three mysteries by Hugh Wiley, will benefit under the increased budgets.

First of four action melodramas will be released next week, two Tex Ritter films are completed, as are two

(*Continued on page 3*)

Take Film Stars Off Radio, Indiana Exhibitors Demand

INDIANAPOLIS, Oct. 23.—Associated Theatre Owners of Indiana called on Paramount to withdraw Bing Crosby, Bob Burns and Jack Benny from the radio in resolutions adopted at the first day of their annual convention here. Similar requests will be sent to other producers.

Action followed an address by Abram F. Myers, general counsel of National Allied, who declared that the use of stars in radio programs is definitely detrimental to their box-office value.

Myers urged exhibitors to be ready for television, "both financially and socially." He declared that present conditions in the industry do not warrant increases in film rentals.

"For the first time in history," Myers said, "the independent theatre owner can feel his investment and profits are safe against the invasions of affiliated theatre chains. Building of affiliated chains in competitive situations has come to a halt."

About 100 members registered today. The business session included reports from officers, a product survey by Harry Markun of Indianapolis and a message from Don R. Rossiter, executive secretary. Both Jacob and Ezra Weiss, legal counsel, were out of the city and their address was read.

Marc J. Wolf is convention chairman, and Maurice J. Rubin is president. A dinner and the 13th anniversary jamboree were held tonight, capped by a midnight lunch.

Business sessions continue tomorrow with addresses scheduled by H. A. Cole, national president of Allied; Ernest L. Miller, Leonard Sowar, Alex Manta and Markun of the Indiana group. The annual banquet is scheduled tomorrow night, when Cole,

(*Continued on page 8*)

Walker Takes Counsel Post On M.P.T.O.A.

Neely Bill Draws Attack; Radio Competition Hit

WHITE SULPHUR SPRINGS, W. Va., Oct. 23.—Frank C. Walker, head of the Comerford Circuit, was elected general counsel of M.P.T.O.A. at the organization's annual board meeting at the Greenbrier Hotel here today.

George Aarons of Philadelphia, secretary of the U.M.P.T.O. of Eastern Pennsylvania, Southern New Jersey and Delaware, was elected assistant general counsel, a newly-created office in the M.P.T.O.A. organization.

MOTION PICTURE DAILY reported exclusively yesterday that the post of general counsel had been offered Walker and that efforts to induce him to accept would be made here today.

Walker's acceptance, it was indicated, hinged upon the appointment of an assistant capable of sharing the work of the post with him, as, in addition to his position as head of the Comerford Circuit, Walker is devoting much of his time to the creation of a national library of President Franklin D. Roosevelt's public and private papers at the President's estate at Hyde Park, N. Y., which eventually is to become a gift to the American people.

Moreover, Walker is treasurer of the Democratic National Committee and much of his time during the next year will be commanded by the forthcoming Democratic convention and campaign. He was co-ordinator of the Administration's relief and emer-

(*Continued on page 2*)

All Box Seats Sold For Night of Stars

All box seats, totaling more than $20,000, have already been sold for the annual "Night of Stars" at Madison Square Garden Nov. 15. The show is for the benefit of refugee resettlement.

The women's division, under chairmanship of Mrs. Joseph Stroock, is responsible for the sale of a major portion of the tickets, with sub-committees operating throughout the city.

The production committee, headed by Louis K. Sidney, Marvin Schenck and Ben Boyar, is lining up screen, stage and radio personalities who will be in town. Already promised for the show are: George M. Cohan, George

(*Continued on page 6*)

Warners Schedule Ahead, Says Einfeld

S. Charles Einfeld, Warners' advertising and publicity director, arriving from the Coast yesterday, said that Warners is maintaining full production operations.



S. Charles Einfeld

Commenting on the current world situation, Einfeld said that the company will make the full 1939-'40 program sold to exhibitors and that quality will not be affected. The studio is working ahead of schedule and at an enlarged capacity.

Work on the remaining four of the scheduled 12 "B" pictures will be resumed in six weeks, with employes in this division taking a vacation now which they ordinarily would have during the Christmas season. The studio believes it would not be practical to make these films now for release next Spring and Summer, as they are usually geared to topical themes. Bryan Foy, in charge of "B" pictures, will come to New York on a vacation in about two weeks.

As evidence that there will be no slackening of production pace, Einfeld said a number of big pictures are in work or in preparation, including "We Shall Meet Again," Merle Oberon's first film for Warners, with George Brent, Pat O'Brien and Jane Bryan, to be directed by Edmund Goulding; "The Fighting 69th"; "Virginia City"; "And It All Came True," with George Raft, John Garfield and Ann Sheridan; "Brother Rat and a Baby," with the cast of "Brother Rat" and a new baby find; "Four Wives"; "All This and Heaven Too," and "Dr. Ehrlich" with Edward G. Robinson and Ruth Gordon, directed by William Dieterle.

During his two weeks' stay here, Einfeld will prepare campaigns on "The Roaring Twenties," "Elizabeth and Essex" and "We Are Not Alone." Paul Muni, who is starred in the latter, is in New York to do "Key Largo" on the stage, but is scheduled to return to the studio for a picture next year.

The series started by "Four Daughters" and continued in "Daughters Courageous" may go on indefinitely. The third with the Lane sisters and John Garfield is "Four Wives," for release early in December.

MITCHELL MAY, Jr.
CO., INC.
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•
Specializing
in requirements of the
Motion Picture Industry
75 Maiden Lane, New York
510 W. 6th St. Los Angeles

Purely Personal

NICHOLAS M. SCHENCK, president of M-G-M, returned yesterday from production conferences with LOUIS B. MAYER and AL LICHTMAN at the studio.

•

JOSEPH BERNHARD, ANDY SMITH, SAM SHAIN, CHARLES SONIN, JOHN KRIMSKY, RICARDO CORTEZ, BARNEY GLAZER, ARTHUR LOEW, MORT SPRING, DAVID LEWIS, ROBERT MILTON, MARTIN BECK, SIDNEY PHILLIPS, OSCAR SERLIN, RICHARD RODGERS and MICHAEL TODD at Sardi's for lunch yesterday.

•

GENE WIDHOFF, of the RKO advertising art department, who will leave for the Coast soon, will be tendered a luncheon today at the Hickory House by the company's advertising and publicity departments.

•

BEN KALMENSON, Warners' Western and Southern sales manager, is touring the company's branches in the West and Midwest. He will be gone about three weeks.

•

JOSEPH BERNHARD, Warner Bros. Theatres head, is in Chicago today and will be in Milwaukee tomorrow holding meetings. He is accompanied by HARRY GOLDBERG, Warner Theatre publicity head.

•

CHARLES E. MCCARTHY, advertising and publicity director of 20th Century-Fox, and his staff moved yesterday to their new quarters adjoining the home office building.

•

AUSTIN C. KEOUGH, Paramount vice-president and general counsel, has gone to Beaumont, Texas, for conferences with JOSEPH CLEMMONS and SOL GORDON.

•

TIM WHELAN, Columbia director, left Washington over the weekend en route to Hollywood. He will make a stopover in Indiana on his way West.

•

NORMAN H. MORAY, Vitaphone sales manager, left last night on a tour of Warner Midwest branches. MORAY will be gone about three weeks.

•

DAVID NIVEN arrived yesterday in the East from Hollywood. After visiting friends in Virginia he will spend a brief time in New York.

•

LEO ABRAMS, short subject sales manager for Universal, left yesterday on business in the Washington and Philadelphia territories.

•

EARLE W. HAMMONS, Educational-Grand National president, went to Washington from New York last night.

•

KARL HOBLITZELLE of Interstate Circuit, Dallas, is in New York for Paramount home office conferences.

•

JULES LEVY, former general sales manager of RKO, left over the weekend for Hollywood.

•

HARRY COHN, Columbia president, plans to leave for the Coast within the next few days.

•

HENRY ARMETTA and PAUL WHITEMAN lunching at Lindy's yesterday.

•

JACK L. WARNER plans to return to the Coast Nov. 1.

ARCHIE WELTMAN is ill. He is at the Harkness Pavilion, in the Medical Center, West 168th St., where he underwent an operation last week.

•

GERALDINE FITZGERALD, Warner player, and ANNA STAFFORD, wife of ORSON WELLES, have arrived from Europe. Other arrivals are JOHN WILSON, associate of NOEL COWARD; ALBERT PARKER, film director, and Phyllis Bottome, novelist.

•

WILLIAM GADDONI, booker at M-G-M's Albany branch, is vacationing in Cincinnati. JOSEPHINE LANSKY and CLAIR AVERY of that office have returned to their posts following visits to the World's Fair.

•

LOUIS CHARNINSKY, city manager for the Interstate Theatres, Dallas, is in town, having just attended the National Safety Congress at Atlantic City. He is the treasurer of the local Citizens Traffic Drive in Dallas.

•

CLAIRE TREVOR, RKO player, arrived from the Coast yesterday and was greeted at the train by representatives of Pennsylvania societies.

•

CHARLES EAGLE, manager of the Stanley, Pittsburgh, has returned to his post after a four-months leave of absence due to illness.

•

SI SEADLER, M-G-M advertising manager, is back at his desk after being out two weeks with a foot ailment.

•

CHARLES COHEN of M-G-M's publicity staff returned yesterday from a New England vacation.

•

BERNARD KRANZE, RKO branch manager in Albany, is here conferring with the Fabian and Reade circuits.

•

PAUL RICHRATH, Grand National branch manager in Albany, spent the weekend at Larchmont.

•

GEORGE WEEKS, Monogram sales manager, is on a business trip across the country.

•

WALTER SELDON of *Motion Picture Herald* left for the Coast yesterday.

•

WILLIAM HEBERT is in town from the Coast.

•

LEO SPITZ of Spitz & Adcock is in Chicago.

Metro Postpones Chicago Meeting

Mid-season sales conference of M-G-M, scheduled for next Saturday and Sunday in Chicago, has been postponed. It is now set for some time in November.

Purpose of the meeting was to set sales policy on "Gone With the Wind," Selznick picture. World premiere of the film has been set for Dec. 16 at Loew's Grand, Atlanta.

For Lunch, Dinner or Supper
LaHIFF'S TAVERN
The Industry's
MEETING and EATING PLACE
156 W. 48th St. Tel. CHickering 4-4200

Walker Takes Counsel Post On M.P.T.O.A.

(*Continued from page* 1)

gency agencies for a time two years ago.

His election to the post of M.P.T.O.A. general counsel presages a more active part for him in the organization's affairs. He has been an M.P.T.O.A. vice-president since the death of his uncle, M. E. Comerford, whom he succeeded in that post. Comerford was one of the founders of the M.P.T.O.A.

Reelection of all other officers is scheduled for 10 a. m. tomorrow.

Five important resolutions were adopted tonight. One expressed opposition to the production of propaganda films, and urged the making of patriotic pictures. It urged avoidance of scenes which might lead the United States into war.

Another resolution stressed the importance of maintaining high production quality as a method of offsetting foreign revenue losses.

The third resolution condemned radio competition and recommended the elimination of film stars from sustaining air programs.

The Neely bill was condemned as a step toward dictatorship and a "violation of the principle of the freedom of the press."

The fifth resolution assailed the competition which 16 mm. films are providing for established theatres. Distributors who refuse to license the use of films for television programs elicited the praise of M.P.T.O.A. directors.

No further action on the Ascap situation will be taken until the current litigation over the State of Washington anti-Ascap law is settled, it was decided.

William F. Rodgers, chairman of the distributors trade practice code negotiating committee, is expected here tomorrow to address the final session.

New directors, designated to the national board by their own regional organizations, as reported exclusively in MOTION PICTURE DAILY yesterday, include Leonard Goldenson, Paramount Theatres; S. J. Hyman, West Virginia Managers Ass'n; Morris

(*Continued on page* 8)

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Studios Have 36 Features Now in Work

HOLLYWOOD, Oct. 23.—Thirty-six pictures were before the cameras this week, as 12 finished and 11 started. Twenty-two are being prepared and are being edited.

Started were: "Passport to Happiness," "Cop from Hell's Kitchen," Columbia; "Not Too Narrow, Not Too Deep," M-G-M; "Under Western Stars," Monogram; "The Biscuit Eater," "Light of Western Stars," Paramount; "Distant Fields," RKO; "Charlie Chan in Panama," 20th Century-Fox; "Trouble's My Middle Name," Universal; "The House Across the Bay," Wanger; "Fugitive from Justice," Warners.

In addition to these, shooting were: "His Girl Friday," Columbia; "Broadway Melody of 1940," "A Call on the President," "Nick Carter," "The Earl of Chicago," M-G-M; "Road to Singapore," Paramount; "Vigil in the Night," "That's Right, You're Wrong," "Sunset," "Mexican Spitfire," "Swiss Family Robinson," RKO; "Rebecca," Selznick; "The Blue Bird," "Little Old New York," "Grapes of Wrath," "He Married His Wife," 20th Century-Fox; "First Love," "Destry Rides Again," "The Invisible Man Returns," "No Power on Earth," Universal; "The Fighting 69th," "Brother Rat and the Baby," "King of the Lumberjacks," "Granny Get Your Gun," Warners.

Finished were: "The Incredible Mr. Williams," "Street of Missing Women," "Gun Lord of the Frontier," Columbia; "Raffles," Goldwyn; "The Secret of Dr. Kildare," M-G-M; "Roll, Wagons, Roll," Monogram; "Zorro's Fighting Legion," "Cowboys from Texas," Republic; "The First Kiss," "Everything Happens at Night," 20th Century-Fox; "Green Hell," Universal; "City for Sale," formerly called "Send Another Coffin," Wanger.

Columbia is shooting one short subject; M-G-M two, and Warners one. M-G-M finished two.

Nine New Pictures Approved by Legion

National Legion of Decency for the current week has approved all the nine new pictures reviewed and classifield, two for general patronage and seven for adults. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage: "Children of the Wind," "Law of the Pampas." Class A-2, Unobjectionable for Adults: "The Affair Lafont" (French), "All Quiet on the Western Front," "At the Circus," "On Your Toes," "Road Back," "Shipyard Sally," "Smashing the Money Ring."

Leichter Acquires New War Picture

Mitchell Leichter, producer and distributor, has acquired "She Goes to War," made from a Rupert Hughes story and directed by Henry King, and will leave Hollywood next week on a tour of key cities offering distribution franchises on a state right basis.

Louella Parsons to Tour With Film Personalities

HOLLYWOOD, Oct. 23.—LOUELLA O. PARSONS, Hollywood Hearst columnist, is leaving next month on a personal appearance tour. Bookings are being arranged now for motion picture houses. She will be accompanied by a troupe of Hollywood personalities.

KAY KYSER's Oct. 25 broadcast of "Kollege of Musical Knowledge" will be aired from a set of RKO Wednesday. The program will be recorded for inclusion in "That's Right, You're Wrong." . . . "One of the Finest," story of New York police officers by THOMAS VAN DYCKE and HENRY BLANKFORT, has been purchased by Producers Pictures Corp. GRACE BRADLEY has been signed by the same firm for the feminine lead of "The Invisible Killer." ROLAND DREW gets the male lead.

"The Great Victor Herbert" has been set as the title for Paramount's "The Gay Days of Victor Herbert." The release title of "Timber" at Warners will be "King of the Lumberjacks."

LEE GARMES has made a deal with RKO to release his forthcoming independent production, "And So Goodbye," from a story by MILDRED CRAM and ADELE COMANDINI. The picture will be made in the East, with CHARLES WINNINGER, C. AUBREY SMITH, HARRY CAREY, MARIA OUSPENSKAYA, BINNIE BARNES, JEAN PARKER and RICHARD CARLSON in the cast. A. EDWARD SUTHERLAND will direct.

Twentieth Century-Fox will send its camera crew by plane instead of by ship to South America for background scenes, because of the uneasy situation on the high seas due to the European war. Insurance rates for passenger travel are said to have been increased so greatly that plane travel was felt more advisable—and safer. RALPH DIETRICH and BURT GLENNON head the crew. RALPH SPENCE last week turned in the completed screenplay for the feature.

After shifting about several times, 20th Century-Fox comes out with the announcement that the picture known formerly as "Daytime Wife," then "First Kiss," is now "Day-Time Wife." . . . NED HOLMES, 62, for the last three years Warner exploitation man on the Coast, died Friday night following a heart attack. He had been in show business for more than 40 years. Surviving are his widow and a daughter.

ROBERT YOUNG and HELEN GILBERT draw the leading roles in "Florian," long delayed W. R. SHEEHAN production at M-G-M. ROBERT TAYLOR originally was penciled in for the male lead. EDWIN L. MARIN will direct and shooting starts in two weeks.

Long Service

Jack Sichelman, assistant to Herman Wobber, general sales manager of 20th Century-Fox, has compiled figures showing that 16 employes now in the ranks have been with the company 25 years. Several have recorded even longer service. There are 62 who have completed more than 20 years with the company and more than 400 who have been employed 15 years or more.

'Temperate' Films Urged by W.C.T.U.

HARRISBURG, Pa., Oct. 23.—Importance of working for temperate influence in motion pictures was stressed today in a departmental report to the Pennsylvania W.C.T.U. convention.

Mrs. Harry A. Ling, state W.C.T.U. director of motion picture activities, urged unions to watch local pictures and complain promptly against wrong types.

William Luckett Dies

FRENCH LICK, Ind., Oct. 23.—William Luckett, 36, of the Luckett circuit, operator of houses in Paoli, Austin, Sellersburg, French Lick and Scottsburg, died following a heart attack.

Mrs. Rose Judell Dies

MILWAUKEE, Oct. 23.—Mrs. Rose Judell, 74, stepmother of B. N. Judell, died at her home here after a brief illness.

Ascap Officials Off To Tacoma Hearing

Ascap officials and attorneys will leave New York today by plane for Tacoma to attend hearings before a special master to determine whether a sufficient amount is involved in Ascap's loss of revenue in Washington from the state's anti-Ascap law to give the Federal statutory court there jurisdiction over the music licensing society's action to test the constitutionality of the law.

Leaving from here today are Gene Buck, Ascap president; E. C. Mills, chairman of the administrative committee; John G. Paine, general manager, and Louis D. Frohlich and Herman Finkelstein of Schwartz & Frohlich, Ascap counsel.

Blumenthal Ruling

The Court of Appeals decision voiding a temporary injunction obtained by Paramount against Ben Blumenthal in the latter's action to collect commissions allegedly due him in connection with a deal for operation of Paramount's London theatres and distribution activities, relates only to the injunction proceedings here and not to the damage action itself, which originated in London, as was reported in MOTION PICTURE DAILY of Oct. 20.

E. C. Grainger on Trip

Edmund C. Grainger, general manager of the Feiber & Shea Theatres, left Sunday night for a 10-day tour of the circuit's houses in Pennsylvania and northern Ohio. He will also attend the Pittsburgh Variety Club dinner Oct. 29.

Monogram to Raise Budgets on 11 Films

(*Continued from page* 1)

Mickey Balcon productions, and two "Renfrew of the Royal Mounted."

Those attending the meeting included Ray Olmstead, Los Angeles; Steve Broidy, Boston; John Mangham, Atlanta and Charles Trampe, Milwaukee; for the franchise holders. From Monogram were W. Ray Johnston, president; Edward A. Golden, vice-president and George W. Weeks, sales manager.

Weeks conferred yesterday with Forest Judd, Des Moines; Sol Francis, Omaha and Lon Fidler, Denver, all Monogram distributors. Weeks left for visits to Oklahoma City and Dallas.

1st Newsreel House Plans 10th Birthday

Embassy Newsreel Theatre, on Broadway, on Nov. 2 will commemorate its 10th anniversary as the world's first newsreel theatre.

The anniversary program will include a two-reel film made by Movietone news of the opening show. Lowell Thomas, who was the commentator for the first newsreel shown at the Embassy, will introduce Courtland Smith, who conceived the theatre while head of Fox Movietone News; Truman H. Talley, the present producer of the newsreel, and W. French Githens, president of Newsreel Theatres, Inc.

Under Githens' guidance, the company has expanded and now operates, in addition, theatres in Rockefeller Center and at 72nd St. and Broadway, and one in Newark.

The Embassy was a consequence of the development of the first sound-on-film newsreel by Fox Movietone under Courtland Smith. The programs later added other newsreels, as well as the March of Time, shorts and cartoons.

Seek to Group Suits

Consolidation of five stockholder suits against Columbia Pictures and a stay of proceedings pending consolidation will be sought tomorrow under a notice of application filed by Columbia in the N. Y. Supreme Court. Stockholders seek an accounting and damages against Columbia officials charging waste and mismanagement of the company.

Selznick Due This Week

David O. Selznick is expected in New York from the Coast within the next few days. The producer will be here for a visit of indefinite duration, combining business and a vacation. He may go to Chicago for a few days during his stay in the East.

Zane Grey Dies at 64

ALTADENA, Cal., Oct. 23.—Zane Grey, 64, internationally known writer of western action stories, many of which have been the basis of motion pictures, died today at his home here of coronary thrombosis.

Cinema Reopens Friday

Gramercy Park Cinema, 127 East 23rd St., which was damaged during a neighboring cleaning shop explosion recently, will reopen Friday after repairs. It is a Rapf & Ruden house.

TOGETHER AGAIN!...IN THE BIGGE



Stan LAUREL
Oliver HARDY

THE FLYING

LAUGH SHOW THEY EVER MADE!

It's scram for the war jitters now! . . . Here comes the screen's top comedy team in their first new-deal production! HANG ON – because we're going cloud-jumping on a skyride of screams . . . with the flying fun-atics of the Foreign Legion, who learned about ladies from Gorgeous Georgette, the Commandant's cutie! . . . Oo-la-la for the box-office!



DEUCES

with

JEAN PARKER · REGINALD GARDINER



R K O RADIO PICTURES

A BORIS MORROS PRODUCTION

Directed by
A. Edward Sutherland

ORIGINAL STORY AND SCREEN PLAY BY RALPH SPENCE, ALFRED SCHILLER,

Badgley Resigns Post After Canada Names Grierson

TORONTO, Oct. 23.—A sensation developed in film exchange circles in Toronto over the week-end with the report that Frank C. Badgley, director of the Canadian Government Motion Picture Bureau since 1927, had resigned following the appointment of John Grierson of London, England, as the Canadian Film Commissioner of the recently organized National Film Board which is made up of non-trade members.

The report, which quickly circulated in trade circles, indicated that the Badgley resignation was due to ill health, but it was felt that there was significance in the fact that his retirement should occur within 24 hours after the selection of Grierson for the highly paid post by Hon. W. D. Euler, Federal Minister of Trade and Commerce.

Badgley, who served with distinction in the Great War, winning his commission as a captain and the Military Cross while with the First Division in France, was in charge of all moving picture arrangements across Canada for the tour of the British monarchs last May and June and all newsreel companies worked under a pooling plan with Capt. Badgley in charge.

This work was entirely in addition to his job as director of the film bureau in which, incidentally, he has always co-operated with film distributors and theatre owners of Canada.

At the conclusion of the royal tour, King George presented Capt. Badgley with an inscribed cigarette case in appreciation of the newsreel organization work directed by him which had brought a minimum of confusion and inconvenience.

Painters Authorize Strike Over Wages

HOLLYWOOD, Oct. 23.—Motion Picture Painters local 644 has authorized its executive board to call a strike at any time to force through a demand for a 15 per cent wage increase. They have rejected a plea of producers to delay their request until Dec. 5 when the basic studio agreement conferences will be held.

By a vote of 421 to 88, the painters indicated their willingness to walk out should the executive board deem it necessary to take the action.

The producers met Saturday to discuss the Painters ultimatum, but took no action except to seek a delay.

'World of 1960'

Columbia will distribute a one-reel subject, "The World of 1960," which will feature the General Motors Corp. Futurama which 5,000,000 persons saw at the New York World's Fair. B. K. Blake will produce the picture which will be ready for release next month.

Picketing Extended

ST. LOUIS, Oct. 23.—Operators' Union, Local 143, which is engaged in a labor dispute with the St. Louis Amusement Co. and its operators, Fanchon & Marco, has extended its picketing to the Manchester, bringing the total neighborhood shows now being picketed to eight.

London Preview

"Inspector Hornleigh on Holiday"

(20th Century-Fox)

LONDON, Oct. 23 (*By Mail*).—"Inspector Hornleigh," 20th Century Fox's initial bid to exploit the popularity of a character of radio fiction, was a British success. They can be pardoned, then, for seeking to repeat that success by a second "Inspector Hornleigh" comedy drama, with the same character team, Cockney Gordon Harker and Scotsman Alastair Sim. The bid should be a successful one, maybe not so much on title value, though the name of Hornleigh is not yet forgotten, even though vanished from wartime radio, as on the pulling power of the two comedians who continue to make an irresistible team.

The story has a gruesome outline, being about a pack of insurance racketeers who use hospital corpses for their nefarious ends. Walter Forde's treatment and Sidney Gilliat's script, wisely enough, in the interests of audience appeal, treat it almost entirely on lines of sheer comedy. Naturally Scotland Yard and its mobile sleuths play a part and there are murders and a mystery radio, but the ancient device of the unsmiling detective and his stooge sergeant, is once again exploited to the ends of laughter, here, of course, with the accents Cockney and Caledonian respectively.

They are a richly funny team with Sim's wandering persecuted personality the most effective creation. Fictitious though may be the penultimate passages wherein the Scot poses as an ailing incurable and Harker juggles with Latin terms as a specialist in tropical diseases, they are sound comedy for a native audience. There are likewise some neat character cameos to dress out the canvas.

Technically, notably in its photography and settings, the film rates higher than many more expensive efforts. Hornleigh and his Man Friday are a team worth exploiting.

Running time, 87 minutes. "A"*

AUBREY FLANAGAN.

**"A" denotes adult classification.*

All Box Seats Sold For Night of Stars

(*Continued from page* 1)

Jessel, Irving Berlin, Mary Brian, Simone Simon, Mitzi Green, Tony Martin, Olsen and Johnson, Abbot and Costello, Jack Dempsey, Hannah Williams, Paul Draper, Paul Ash and Benny Fields.

Also Judy Canova, Cross and Dunn, J. C. Flippen, Harry Hershfield, Hylton Sisters, Merry Macs, Carmen Miranada, Molly Picon, Radio City Music Hall Rockettes, Roxy Theater Gae Foster Girls, Martha Raye, Erno Rapee, Mary Small, Alexander Smallens, Maxine Sullivan, Benny Goodman, Orson Welles, Raymond Gram Swing, Johannes Steele, Dixie Dunbar, Buddy Ebsen, Jack Haley, Jimmy Durante and Mario and Florio.

Fights Tax Cut Plea

Dismissal of a writ of certiorari which seeks a reduction of $480,000 on assessments of the Astor, Bijou and Morosco Theatres for the years of 1933 and 1934 was asked by the City Tax Commission in an answer filed yesterday in N. Y. Supreme Court. The answer claimed that assessments of $2,840,000 for 1933 and $2,590,000 for 1934 were a fair evaluation and that the application of the Astor-Bijou-Morosco Theatres Realty Corp. for a court reduction was improper.

St. Louis Amateurs Set

ST. LOUIS, Oct. 23.—Amateur theatrical organizations here are scheduled to begin the 1939-'40 season this week. The Little Theatre has selected Edwin Justus Mayer's comedy, "The Firebrand," for its opening production. The Mummers will open Oct. 27, with "The Gentle People."

Suit By 3 Creditors Hits Grand National

(*Continued from page* 1)

with transferring property and paying preferences while "insolvent."

Petition was filed by Hap Hadley, 1560 Broadway, alleged creditor for $730; Passantino Printing Co., Inc., 250 W. 49th St., for $192 and Keystone Photo Engraving Corp., 244 W. 49th St., for $272.

Claim is made in the petition that Grand National "with intent to hinder, delay or defraud creditors" concealed or conveyed to persons unknown to petitioning creditors the sum of $5,000. In addition, the company is charged with a preferential payment of $3,000 to Earl W. Hammons, president of the company, or to his relatives while the company was insolvent and with intent to prefer the recipients over all other creditors.

The company may contest the application by filing an answer to the petition in court.

Heads Cincinnati Club

CINCINNATI, Oct. 23.—Arthur Frudenfeld, RKO division manager, has been reelected chief barker of the Cincinnati Variety Club. James J. Grady and Andrew Niedenthal were named first and second chief barkers, respectively, and Ralph Kinsler was reelected dough guy. Saul M. Greenberg was elected to succeed Joseph Kolling as property master.

Pittsburgh Premiere

RKO's "Allegheny Uprising" will have its world premiere at Loew's Penn theatre, Pittsburgh, on Nov. 3. It will open the Allegheny Centennial celebration.

Official Thanks

Toronto, Oct. 23.—The Independent Theatres Association of Ontario has received letters from Prime Minister Mackenzie King of the Dominion Government and Premier Mitchell Hepburn of Ontario thanking the independent exhibitors for the offer of their theatres for war purposes and advising that the cooperation of theatre owners will be used when war loan and further recruiting campaigns are launched. The screens are already being used for Red Cross and women's organization drives.

British Films Lose Favor in Argentine

LONDON, Oct. 23.—According to a memorandum issued by the Department of Overseas Trade—section of Britain's Board of Trade—British films have lost ground in the Argentine.

The report states that American productions continue to dominate the market, with a little competition from the home industry. It adds:

"Although the number of American films was several times greater than the output of the local industry, the extent of local competition—felt chiefly in suburban and provincial theatres—is indicated by an unofficial estimate of the receipts of U. S. A. distributors, which apparently dropped by 30 per cent in 1939, totaling approximately 14,000,000 pesos compared with 21,000,000 pesos in the previous year."

Picture Shows Billed For Canada Troops

TORONTO, Oct. 23.—The first official move to provide screen entertainment for Canada's soldiers was taken when the Citizens' Committee for Troops in Training was organized to arrange recreational features at Dominion military camps. Representing the film industry was Henry L. Nathanson, general manager of Regal Films, Ltd., Toronto.

Several large downtown theatres will accommodate military units at matinee shows. Pictures will be shown in camp buildings too.

20th-Fox Fights Tax

Claiming excessive assessments totaling $215,000 on three New York properties, Twentieth Century-Fox has filed writs of certiorari in the N. Y. Supreme Court asking the court to order reductions. On the same day Justice Julius Miller ordered the Tax Commission of New York to file answer by Dec. 4. Properties affected are 452 W. 54th St., 434 W. 56th St. and 830 Tenth Ave., assessed respectively for $330,000, $445,000 and $815,000 for 1939-'40.

Settle Contract Suit

Suit of Superior Talking Pictures and Stage and Screen Productions for $5,000 damages for alleged breach of contract against Principal Film Exchanges was settled and discontinued yesterday in the N. Y. Supreme Court. Details were undisclosed. Plaintiffs charged the defendant with failing to account on a distribution contract for 18 pictures.



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The answer is: YOU CANNOT AFFORD TO DO WITHOUT IT. That is what the managers of almost 6000 theaters have learned —more than one-third of the theaters in the country.

Simplified High Intensity projection costs so little more than low intensity that one more patron per show covers the added cost.

It puts your theater in line for successful competition with the largest houses.

It will receive the hearty approval of your patrons.

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Walker Takes Counsel Post On M.P.T.O.A.

(Continued from page 2)

Leonard, Exhibitors Association of Chicago, and Lyle M. Wilson, M.P.T.O. of North and South Carolina.

The meeting went into an extra session at 8:30 o'clock tonight after having adjourned at 6:30. Two sessions will probably be held Tuesday to wind up unfinished business. The meetings are executive sessions.

Attending the meetings are 20 of M.P.T.O.A.'s 26 directors. They are Ed Kuykendall, president; Fred Wehrenberg, chairman; Morris Loewenstein, secretary; Mitchell Wolfson, Joseph Denniston, A. Julian Brylawski, William Benton, Frank C. Cassil, H. V. Harvey, S. J. Hyman, Oscar Lam, Arthur Lockwood, A. C. Hayman, Benjamin Pitts, Lewen Pizor, Lyle Wilson, Roy Walker, Charles E. Williams, R. X. Williams and M. A. Lightman.

Lesser Is Named Metro Print Head

Alan F. Cummings, head of M-G-M exchange operations, has appointed David Lesser in charge of the home office print department. He succeeds Banks Hudson, who recently was transferred to St. Louis as head booker.

John Coyne has been promoted to second booker at the M-G-M exchange in Cleveland, succeeding William Sheehan, resigned. Ralph Landsnaes, student booker, and Jerry Whitesell have been added to the Cleveland booking staff.

RKO Drops Shows At Chicago Palace

CHICAGO, Oct. 23.—RKO plans to drop stage shows at the Palace here on Nov. 3. First-run double features will be adopted.

The Indiana-Illinois Circuit is instituting vaudeville in some theatres, with the Elkhart in Elkhart, Ind., the first to adopt the policy.

Exhibitors Fighting Ohio Pension Plan

(Continued from page 1)

William S. Evatt, State Tax Commissioner.

Although no one within the state will be exempt from new direct and indirect taxes, those lines directly affecting the theatre would include reinstatement of the former 10 per cent admission impost. Exhibitors now pay three per cent on gross receipts. Various other taxes also would affect exhibitors.

Ed Finney to Wed On Coast Saturday

HOLLYWOOD, Oct. 23.—Edward F. Finney, producer of the Tex Ritter westerns, which are released by Monogram, will be married on Saturday to Betty Bourke at the Old Mission Church, Santa Barbara.

Lucas & Jenkins Building

ELBERTON, Ga., Oct. 23.—Lucas & Jenkins plans a new house here.

Hollywood Reviews

"20,000 Men a Year"

(20th Century-Fox)

HOLLYWOOD, Oct. 23.—Direct appeal of the topical "20,000 Men a Year" is to youngsters. Its whoop and holler stuff for them, inasmuch as the footage is crowded with action, includes plenty of comedy and holds only a minimum of romantic love interest. Taking its cue from the Government's plan to develop 20,000 student fliers annually, the original by Frank Wead is a practical demonstration of the plan in work, while the screenplay by Low Breslow and Owen Francis embellishes the idea with the theatrical necessities required of an action picture.

Sagely estimating the show's audiences, Alfred E. Green's direction keeps the theme within bounds of plausibility, at the same time injecting bits of hokum that steer it out of the propaganda class. The cast, especially Randolph Scott, Preston Foster, Margaret Lindsay, Maxie Rosenbloom and Robert Shaw, as well as George Ernest and Sen Yung, who head the juvenile contingent, put the show across convincingly.

Most of the first half of the film is semi-educational yet entertaining, depicting ex-transport pilot Scott's troubles trying to run a one-plane airdrome, the announcement and launching of a section of the training plan. Scott's two prize pupils are Ernest, Miss Lindsay's brother whom she has forbidden to fly, and Shaw, Foster's brother, who does not seem to have the stuff of which pilots are made. While giving Shaw personal instruction, an accident happens and the frightened youngster bails out and is lost in the mountains, while Scott cracks up the ship. Taking another ship, into which Ernest climbs, Scott starts off to rescue the lad. The flying action is full of thrills and chills, but Shaw is found hanging from a cliff. Scott is injured saving him, but with Ernest following his instructions piloting the plane rises from an almost impossible take off. Closing sequences have scores of students flying planes in military formation.

Running time, 83 minutes. "G." G. McC.

"Allegheny Frontier"

(RKO)

HOLLYWOOD, Oct. 23.—No exhibitor need have been buying all his films of one salesman to find plenty of marquee material in this. It gives him John Wayne and Claire Trevor of "Stage Coach," Brian Donlevy of "Beau Geste," George Sanders of the "Saint" series and such all-around players as Robert Barrat, Eddie Quillan, John F. Hamilon and Moroni Olsen to advertise as here extremely active in a forthright melodrama, a melodrama linked up with early American history and as full of fight as the Allegheny frontier is of them.

The time of Neil H. Swanson's story, adapted for the screen by P. J. Wolfson, who also produced the picture, is roughly 1760. The British have just won their war with the French and are in somewhat high-handed control of the area pioneered by Allegheny colonists who can't seem to make the Red Coats understand that weapons and rum are being furnished the Indians under military protection. It takes Wayne, as leader of the colonists, and his fighting stalwarts quite a while and many adventures to bring out the truth, at which time the British in command take appropriate steps and rectify all possible mistaken notions as to their honor, intelligence and goodwill.

William A. Seiter's direction of this distinctly unique film is with emphasis on the action and the thrill thereof, touching only lightly the romantic equation and using the historical aspect simply as background.

Running time, 81 minutes. "G."* ROSCOE WILLIAMS

**"G" denotes general classification.*

Take Stars off Radio, Exhibitors Demand

(Continued from page 1)

Raymond B. Townsley, Indiana commander of the American Legion; Harry Geisel, American League umpire, and Dick Reed, radio news commentator, will speak.

The following directors were elected late today:

Rubin, Vern U. Young of Gary; H. Lisle Kreighbaum of Rochester; Pete Mallers of Fort Wayne; William Studebaker of Logansport; Sam W. Neall of Kokomo; Leonard Sowar of Muncie; I. R. Holycross of Anderson; Perc Dickson of Wabash; Carl Niesse, Harry Markun, Ernest L. Miller, A. C. Zaring and Frank Sanders of Indianapolis; Walter Easley of Greensburg; Roy Harrold of Rushville; Trueman Rembusch of Franklin; Joe Shilling of Connersville; Paul Meloy of Shelbyville; Sam Switow of New Albany; Herbert Johnson of Madison; Oscar Fine of Evansville; Harry P. Vonderschmitt of Bloomington and Bruce Miller of Bicknell.

The directors will meet and elect officers tomorrow morning. Indications are that virtually all present officers will be re-elected.

Radio Personals

Charles Pekor has taken over the trade publicity desk at NBC, succeeding John Graham who left last week. He will be assisted by Arthur B. Donegan, formerly of the Warner Bros. art department. Ed Curtin also left the publicity department last week. Fred Mears has been appointed assistant to Jack Miles, who edits the NBC News Service. . . .

Maurice C. Dreicer has been named to head the educational department recently organized by WCNW. . . . Lyn Murray, CBS vocal coach and choral director, will take a leave of absence from some of his network duties to direct the music in "Swingin' the Dream" forthcoming Broadway production. . . . Fred Allen will bring back the newsreel feature to his program tomorrow at 9 P. M. over NBC-Red. . . .

Bea Wain has received a 13-week renewal on the "Hit Parade," effective Nov. 4, when Barry Wood replaces Lanny Ross.

Montague on War Newsreel Mission

W. P. Montague, Paramount Newsreel assignment editor, left New York yesterday on the Dixie Clipper for Lisbon, Portugal, to confer with the reel's representatives throughout Europe on plans for a more thorough war coverage.

Although his itinerary is indefinite, due to war time traveling restrictions, Montague plans to visit Rome, Paris, Brussels, London and Switzerland. He expects to be abroad about 30 days.

KFRO Power Boost In Trade Paper Ads

Trade papers, in addition to East Texas newspapers, are to be used in a campaign by the Gandy Advertising Agency of Dallas to bring out the increase of KFRO to a regional station and the increase of power to 1,000 watts, full time operation. The campaign begins in December. The Gandy Advertising Agency was appointed to handle the advertising campaign for the station by President James R. Curtis of KFRO.

Whiteman Appeals

Appeal to the U. S. Circuit Court of Appeals has been filed by Paul Whiteman from a ruling of Federal Judge Leibell in a test suit which bars Whiteman from licensing the broadcasting of his records without the consent of the manufacturer, R. C. A. Manufacturing Co., Inc.

Ballet Opens in Phila.

PHILADELPHIA, Oct. 23.—The Ballet Russe de Monte Carlo opened its American tour here this week. A performance in Reading will also be given on Oct. 25 before the New York engagement, postponed because of the European war, starts on Oct. 26.

B. & K. Parley Billed

CHICAGO, Oct. 23.—The Balaban and Katz-Great States circuit has scheduled a managers' convention here Nov. 8 and 9 to discuss policy changes, management problems, etc.

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First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 81 NEW YORK, WEDNESDAY, OCTOBER 25, 1939 TEN CENTS

War Cripples Paris and U.S. Film Trading

American Newsreel Men Suffer Many Difficulties

PARIS, Oct. 24.—France is contemplating sending a goodwill mission to the United States, consisting of Charles Boyer, Georges Carpentier and Jean Borotra, noted tennis player.

In the meantime, the film business here is in turmoil, caused by the war.

American film revenue has been cut to almost nothing. The newsreels can't get any pictures except those which are handed out by the Government Bureau of Propaganda, and only after the censors have given their approval.

Newsreel companies with their own organizations, therefore, are seriously affected.

Rushing of American cameramen over here to replace manpower which has gone off to war has proved futile because the Government is not issuing permits to such men. Two of these, Arthur Menken of Paramount and Neil Sullivan of RKO-Pathe, are still waiting for their working permits to photograph the front. Menken recently moved to Brussels.

Hundreds of non-Frenchmen from enemy countries, many of whom have worked in the film business in Germany and in Central Europe, and who came to France as refugees are now interned near Paris. Foreigners are stopped many times daily and asked to show their papers.

There has been a report just published that Bernard Nathan, former

(*Continued on page 2*)

'Smith' First Week Grosses $110,000

"Mr. Smith Goes to Washington" will draw an estimated $110,000 in its first week, which ends tonight. The film, which is still playing to capacity, holds over. Second week of "What a Life" brought an estimated $24,000 at the Paramount. "Disputed Passage" opens there today.

"U-Boat 29" which grossed an estimated $9,500 in its second week will do an estimated $7,500 for its third week at the Globe. "Rio" bows in at the Globe tomorrow. In its 23rd week at the Astor, "Goodbye, Mr. Chips" grossed an estimated $6,200. "Port of Shadows" goes into the Central Friday.

Reorganization Set As Grand National Gets $450,000 Loan

Grand National will oppose the involuntary petition in bankruptcy filed against it in U. S. District Court here Monday by three creditors whose claims total less than $1,300, and will petition instead for a voluntary reorganization, it was stated yesterday by Norman C. Nicholson, attorney for Grand National.

Meanwhile, Nicholson said he had been advised during the day by E. W. Hammons, Educational-Grand National president, that the Reconstruction Finance Corp. had agreed in Washington yesterday to increase its proposed loan of $400,000 to Grand National to $450,000.

On the basis of this agreement, it was said, Grand National's attorneys are preparing a plan of reorganization which will be submitted to the Federal court prior to Nov. 2, the date on which the involuntary petition in bankruptcy is returnable in court.

British Exhibitor Needs Discussed

LONDON, Oct. 24.—E. J. Hinge and W. R. Fuller, officials of the Cinematograph Exhibitors Association today discussed with Oliver Stanley, president of the British Board of Trade, the film needs of English exhibitors in the light of the remittance situation.

An official C.E.A. memorandum will be prepared for submission to the Government at a later date. Stanley was told by the C.E.A. officials that exhibitors will need 120 British second features next year in order to preserve the competitive basis of the film market. It was hinted tentatively that there will be a possible need of control of film rental prices.

The London Branch of the C.E.A. today approved the idea of women projectionists, and plans to organize their training.

The C.E.A. nationally will ask the Kinematograph Renters Society (distributors) to discuss jointly 40 to 50 percent rentals on pictures booked before the war and played after the outbreak of hostilities.

Drama Pact Meeting

Producers of Brodway legitimate plays will meet today with Sidney R. Fleisher, arbiter for the Dramatists Guild, to discuss proposed modifications of the basic agreement to permit film companies who back Broadway plays to purchase film rights prior to production.

Seven Directors Work on One Film

Mexico City, Oct. 24.—A novel experiment in production is being undertaken by the Association of Mexican Cinematographic Directors with the making of a film on a cooperative basis, all concerned with it to contribute their time and talent and take a percentage of the profits.

The picture is to have not one but seven directors, the best in Mexico—Miguel Contreas Torre, Fernando de Fuentes, Arcady Boytler, Juan Bustillo Oro, Gabriel Soria and Miguel Zacarias.

Ticket Brokers Bill Hearing Tomorrow

Hearing on the Spellman bill to limit ticket brokers' advances to 75 cents per ticket will be held by Mayor LaGuardia in the Summer City Hall tomorrow morning. The bill was passed by the City Council last week, but requires the mayor's signature.

Lineup is expected to be similar to that at the Council hearings, with the League of N. Y. Theatres, Actors Equity and civic organizations supporting the bill and ticket brokers opposing it.

An Equity committee will meet with the League Friday to discuss extension of last year's ticket code.

Distributors Study Texas Trade Probe

Home office attorneys yesterday discussed the action of the Texas Attorney General's office in investigating books and record of large Texas theatre circuits.

No action was taken due to the fact that the investigation, which is being conducted under the state's anti-trust laws, does not involve distributors operating in interstate commerce.

The Texas Attorney General has instituted similar investigations of 12 other industries under a Texas statute which permits him to inspect books and records for the purpose of determining whether state anti-trust laws are being violated. Such investigations may be undertaken under the law regardless of whether or not complaints have been made against an industry or its individual company members.

Local attorneys were at a loss to explain the investigation which, to date, has involved Interstate and Texas Consolidated Circuits and the Jefferson Amusement Co.

Concessions Draw Praise Of M.P.T.O.A.

Non-Forcing, 20% Cancellation Commended

WHITE SULPHUR SPRINGS, W. Va., Oct. 24.—Distributors who have voluntarily granted a 20 per cancellation and abandoned the forcing of short subjects with features were commended by resolution by the national board of directors of M.P.T.O.A. at their final session at the Greenbrier Hotel here today.

The resolution urged other distributors to take similar action at once to "eliminate the agitation for the Neely Bill" and to unify opposition to Governmental interference with the industry.

The final session saw the reelection of all M.P.T.O.A. officers, as first predicted by MOTION PICTURE DAILY on Oct. 12.

Officers are: Ed Kuykendall, president; Fred Wehrenberg, chairman of the board; Morris Loewenstein, secretary; Walter Vincent, treasurer; Frank C. Walker, general counsel; George Aarons, assistant counsel, and Walker, M. A. Lightman, Mitchell Wolfson, E. C. Beatty and A. Julian Brylawski, vice presidents.

William F. Rodgers, M-G-M sales manager, addressed the meeting and told the M.P.T.O.A. leaders that he believes a code of fair trade practices "will eventually have a place in the industry, but when and how, I can't say."

The M.P.T.O.A. resolution on voluntary cancellation and non-forcing concessions from distributors reads as follows:

"Resolved: That the efforts so far undertaken to benefit the industry by subscribing to 20 per cent cancella-

(*Continued on page 2*)

Indiana Exhibitors Elect Roy Harrold

INDIANAPOLIS, Oct. 24.—Roy Harrold of Rushville was elected president of the Associated Theatre Owners of Indiana as it ended its 13th annual convention here today.

He succeeds Maurice J. Rubin of Michigan City. Other officers chosen are Ernest L. Miller of Indianapolis, vice-president, and Harry Markun of Indianapolis, treasurer.

Discussions of legislation, union contracts, code arbitration and radio competition, were held during the afternoon business session. The annual banquet tonight closed the conclave.

Concessions Draw Praise Of M.P.T.O.A.

(Continued from page 1)

tion, sponsored by the M.P.T.O.A. during its campaign for a fair trade practice agreement, and by not forcing the sale of short subjects with features, are steps in the direction of a solution of the troubles now besetting the industry, and that full consideration and action by all distributors without individual effort to gain advantage for themselves, would establish a working basis that would eliminate the agitation for the Neely Bill.

"Be it further resolved, that we urge those distributors who have not aligned themselves with this policy to do so at once in order to unify the situation, and that by so doing the distributors will indicate to the exhibitors of the entire country the immediate pressing need of cooperation in opposition against attempts at Governmental interference with the industry."

Cites Need for a Code

Making it clear that he spoke only for Loew's and not for the industry, Rodgers reaffirmed his belief that had the industry trade practice code been permitted to become effective "many grievances within the industry would have been adjudicated." He stated that now, however, distributors "are powerless to act on a trade practice code in view of the Government's stand."

Rodgers said he had been convinced by his code experience that most exhibitors wanted an industry code, although some "prominent exhibitors" said they did not. He pointed to the recent resolution of Allied of Michigan calling for renewed efforts to draft an agreement as an example of what he was referring to.

Rodgers also voiced the belief that the Neely Bill, if enacted, would prove a detriment to exhibition.

Writing Yiddish Film

Josef Berne is writing an original Yiddish dramatic musical which he will direct for Credo Pictures. The picture to be made in the East, will star Victor Chenkin and will go into production about mid-December.

FLY
American
TO
LOS ANGELES
OVERNIGHT
Via American's Southern Sunshine Route
GIANT FLAGSHIP SKYSLEEPERS
AT 5:10 P. M. AND 10:10 P. M.
DAYLIGHT FLIGHT AT 7:10 A. M.
For reservations call your Travel Agent or HAvemeyer 6-5000. Ticket offices 45 Vanderbilt Ave. and Rockefeller Center at 18 W. 49th Street.
AMERICAN AIRLINES *Inc.*
ROUTE OF THE FLAGSHIPS

Purely Personal

BARNEY BALABAN, STANTON GRIFFIS, ELIZABETH PATTERSON, LEW GENSLER and LIONEL STANDER among those at Sardi's during lunchtime yesterday.

•

MARTIN QUIGLEY, ED FAY, COLVIN BROWN, LOU POLLOCK, HANK LINET, SAM SHAIN, ARTHUR WILLI and ARTHUR LEE at BOB GOLDSTEIN'S Tavern for lunch yesterday.

•

WATTERSON ROTHACKER, Hollywood vice-president of Quigley Publishing Co., stopped over in Chicago between trains Monday while en route to the Coast to visit friends.

•

GRADWELL SEARS, ED SCHNITZER, CHARLES MOSES, ROY HAINES, WALTER READE and WALTER READE, JR., lunching at Dinty Moore's yesterday.

•

ROCCO LONGO of the Community, Oakville, Conn., is back at his home after a stay in the hospital for an abdominal operation.

•

WILLIAM SIRICA of the Lido, Waterbury, Conn., makes the film district on crutches after a handball court accident.

•

GILBERT MILLER, theatrical producer, sailed for Naples yesterday on the *Conte Di Savoia.*

•

JOSEPH MOSKOWITZ, J. J. MILSTEIN and JOSEPH PINCUS at Lindy's for lunch yesterday.

•

MR. and MRS. M. C. MOORE of the Riverside Theatre, Jacksonville, Fla., are here for the World's Fair.

•

ROSLYN ZIFF of the Ballard Theatre, Ft. Erie, Ontario, is a New York visitor.

•

WILLIAM F. RODGERS, M-G-M general sales manager, is due back in New York this morning from White Sulphur Springs, W. Va.

Lewin Associated With David Loew

HOLLYWOOD, Oct. 24.—Albert Lewin has become associated with David L. Loew in the production of features for United Artists release. Lewin at one time was associated with Irving Thalberg in production at M-G-M and more recently was with Paramount. Among the productions he has handled have been "Mutiny on the Bounty," "The Good Earth" and "Spawn of the North."

Hart Resigns Hays Post, Resumes Law

Vincent G. Hart, a member of Will Hays' staff for 10 years, has resumed law practice. He will be associated with Norman C. Nicholson and Lewis M. Lawton, 9 Rockefeller Plaza.

RCA Fights Stock Suits

Application to stop further stockholders' suits against R.C.A. because five consolidated suits are already pending will be made today to N. Y. Supreme Court Justice Wasservogel. The defense contends that all issues can be determined in the consolidated action.

S. CHARLES EINFELD, Warners' advertising and publicity director, observes his birthday today.

•

LILLIAN HYATT, secretary to CHARLES A. BRIND, who does the court work for the State of New York on film censorship cases, is in town for the week visiting the World's Fair.

•

NELL O'DAY, Broadway actress, has signed a long-term contract with Warners. She leaves for the Coast next week.

•

DAVID NIVEN, JUNE GALE and MRS. DAVID O. SELZNICK arrived here yesterday from the Coast via American Airlines.

•

ARTHUR WILLI, head of the new RKO talent department, left yesterday for Pittsburgh where he will remain several days.

•

BEN KALMENSON, Warner division manager, is in Chicago discussing local deals with HENRY HERBEL and TOM GILLIAM.

•

ED KUYKENDALL, M.P.T.O.A. president, goes to Washington, D. C., today from White Sulphur Springs, W. Va.

•

ROY DISNEY plans to leave for the Coast at the end of the week following a brief visit here.

•

WALTER LYNCH of Mecca Film Laboratories has returned from a two-week trip.

•

NAT WACHSBERGER of Film Alliance of the U. S. returns today from a business trip to the Coast.

•

B. R. MCLENDON, manager for the Tri-State circuit at Atlanta, Tex., is visiting here.

•

WILLIAM K. HOLLANDER, Balaban & Katz advertising chief in Chicago, is confined to his home with a cold.

•

FRANK CAPRA left for the Coast by train last night.

•

EARLE W. HAMMONS is expected back from Washington today.

Editor Will Answer Miller's Code Talk

In reply to Neville Miller's speech last Sunday in which the N.A.B. president supported the code, CBS, which carried the talk, will broadcast a speech by David Lawrence, Washington editor, on "Freedom for the Thought We Hate," at 1:35 P.M. Sunday. A rebuttal will follow Sunday, Nov. 5, at 1:45 P.M. by Edgar L. Bill, president of WMBD, and chairman of the N.A.B. code compliance committee, on "The Code Means Fair Play to All."

Republic Housewarming

More than 150 exhibitors in the Rochester, Syracuse and surrounding territory yesterday attended the housewarming party given at the remodeled Buffalo exchange office of Republic Pictures. James Grainger, Republic president, was host. Jack Bellman is manager of the Buffalo exchange.

War Cripples Paris and U.S. Film Trading

(Continued from page 1)

head of Pathe-Natan, now serving a sentence for embezzlement, is being released in order to join the fighting forces.

Nathan served in the World War. His brother, Emil, is now at the front. Many employes of American firms also are in the service. Latest to enlist is Souhami, former head of Paramount here.

All cablegrams are censored. In order to send a cablegram one must first go to the prefecture and obtain credentials permitting the sending of a cable. Contents must be disclosed to a censor before transmission is sanctioned.

Selznick Due Today For 'Wind' Parleys

David O. Selznick is scheduled to arrive in from the Coast this morning by American Air Lines for four days of conferences on distribution plans for "Gone With the Wind."

Participating in the conferences will be John Hay Whitney, chairman, Selznick-International; Nicholas M. Schenck, Loew's-M-G-M president; Al Lichtman, his assistant, and William F. Rodgers, M-G-M general sales manager.

Zanuck to Glorify Western Heroes

HOLLYWOOD, Oct. 24.—Darryl F. Zanuck has set plans to glorify western screen heroes in the same manner which slapstick comedians were treated in "Hollywood Cavalcade."

The film, to be titled "The End of the Trail," will be in color. Gene Markey will produce. Milton Sperling is doing the screenplay.

War Stops Building

TORONTO, Oct. 24.—N. A. Taylor, general manager of 20th Century Theatres, Toronto, has announced a cessation in theatre building activities because of the war, following the completion of the Community at Trenton, Ont., which opens Nov. 1.

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Newsreel Parade

Newsreels devote virtually their entire footage to the war and pertinent events, particularly the arrival of the President Harding. *Major football games are treated. The reels and their contents follow:*

MOVIETONE NEWS, No. 13—Queen Wilhelmina opens Parliament. Belgian Princess launches ship. Franco attends religious festival. Mussolini lays cornerstone for 1942 Fair. Churchill at son's wedding. Mine detector ship arrives in Holland. Medals manufactured in France. British army in training. Shots taken aboard *President Harding*: injured sailors transferred from torpedoed ship; French tanker afire at sea, and the injured passengers on the ship arriving in New York. Football: Yale-Army, Ohio State-Minnesota, Tennessee-Alabama, Notre Dame-Navy, Pennsylvania-Harvard.

NEWS OF THE DAY No. 211—*President Harding* arrives. French tanker sinks. Churchill's son weds. Flood precautions in Britain. British Tommies on hike. Mussolini observes Youth Day. Barbara Hutton arrives from Europe. Football: Tennessee-Alabama, Yale-Army, Notre Dame-Navy.

PARAMOUNT NEWS, No. 16—*Harding* returns from Europe with crew of torpedoed British freighter. Ohio State-Minnesota, Yale-Army and Tennessee-Alabama football. Britain blockades Germany. Destroyers search for submarines. Newsreel men in uniform. Conditions in England. British Tommies get paid. British regiment at front.

RKO PATHE NEWS, No. 28—*Harding* docks with battered passengers. War situation in England. Churchill attends son's wedding. Speed production of medals in France. Clipper ends New Zealand flight. Football: Harvard-Pennsylvania, Giants-Bears.

UNIVERSAL NEWSREEL, No. 817—*Harding* arrives. Anti-aircraft shells manufactured in England. Churchill's son marries. *City of Flint* with *Athenia* survivors. Underground flood system in England. French dogs trained. Mussolini lays cornerstone for Italian Fair. Football: Yale-Army, Tennessee-Alabama, Ohio State-Minnesota.

F. & M. Seeks Writ To Check Picketing

ST. LOUIS, Oct. 24.—The Fanchon & Marco Service Corp. and the St. Louis Theatre Co. have filed suit for an injunction to restrain picketing at the Fox Theatre and seven neighborhood houses. Defendants are Robert Tomsen, president of the Operators' Union, Local 143, seven other officers and 28 members. F. & M. operates a group of neighborhood houses for the St. Louis Amusement Co. The plaintiff contends the union insisted the company discharge certain operators, but the company refused to comply, whereupon a picket line was established.

Kyser Studio Broadcast

Kay Kyser's "College of Musical Knowledge" program will be broadcast over the NBC network from the RKO studio in Hollywood from 7 to 8 P. M. today. The program will be recorded by motion picture apparatus for highlight scenes in "That's Right, You're Wrong," co-starring Kyser and Adolphe Menjou and featuring the Kyser orchestra.

Court Stops Bingo

MILWAUKEE, Oct. 24.—Bingo games at the Bahn Frei Hall here constitute gambling, Circuit Judge Aarons ruled in granting Charles W. Trampe, head of Film Service, Inc., an injunction restraining the hall from conducting the games.

Insider's Outlook

By SAM SHAIN

RUTH MACK will be married tomorrow to Leopold Friedman, general counsel of Loew's, Inc.

AT Loew's Theatre, Montreal, Metro's "The Women" has been drawing more than its customary large laugh response, thanks to the censors. There is a provincial ruling which prohibits the word, "divorce" on the sound track and in this M-G-M picture there isn't anything else but that word—or almost. The censors did their job and here's a sample of the dialogue as it is reported from Montreal:

"Very well, then, I will get a —— cut bracket."

"But Mary, you don't really want to —— cut bracket me."

THE U. S. Army prefers single features. A casual inquiry into the film service branch of the country's land forces reveals this fact.

Soldiers must retire early and so the regular army film progams run hardly over 100 minutes, inclusive of a feature, shorts and newsreel. And reports are that the khaki-clad lads are plenty picture-wise, too. They know what they want.

That U. S. Army film service is really somethig. Few in the trade have any idea of what it is like or how important a part it plays in the life of the soldier.

What's more—there probably will be more film showings in the army this year than previously, because the war games will last about four months.

The picture branch is handled by a unit known as the U. S. Army Motion Picture Service which operates with Army Headquarters on the amusement end.

This unit has been in operation since 1920. It is an outgrowth of the World War and operates approximately 80 theatres in camps, posts and stations over the country and Alaska. The newest house opened is at Fort Jay, Governors Island. It is thoroughly modern and has a seating capacity of 900. Its construction cost was about $100,000.

These Army showings are on a self-sustaining basis. No appropriation is allotted to this part of the soldier's social life. Always there is a commanding officer in charge with rank and file and departmental staff men filling operators' posts. These men are compensated for this extra duty.

The general admission fee is 20 cents, but coupon books holding 10 tickets may be purchased at a discount—or $1.40.

Last year there were 22,000 film programs shown.

There are divisional offices of this service maintained in Dallas, Seattle, St. Louis, Washington and New York.

In New York, Thomas H. Martell is manager, covering the eastern district.

SAYS the *Cincinnati Enquirer*—"We regret to hear a return of war films is predicted. The belligerents overseas are having a hard enough time holding their audience, without encountering competition on the lots of Hollywood."

MENTION of Cincinnati brings to mind the September report by the Police Department of that city. The report shows that more chance games were conducted in Cincinnati during that month, but attendance and receipts declined. Perhaps this indicates a break in the trend. Attendance and receipts were going up until September. During last month 38.1 per cent of the parties played to less than 500 persons, compared with 40.7 per cent in August.

SENATOR JOHN J. DUNNIGAN'S pari-mutuel racing law amendment is receiving scant exhibitor attention. Perhaps the boys feel that at $2.75 per grandstand seat and a $1.25 nibble even on passes, racing is no competition for the box-office.

SOME of the learned men in the trade think the reason that the Government is not pressing for preference in the pending New York anti-trust suit is because the Department of Justice would rather wait for certain disposition of other anti-trust cases now before the U. S. Supreme Court.

The Supreme Court is to rule on three or four other anti-trust cases which also may provide new angles for the film suit.

LEONARD GAYNOR, now that he has completed the task for which he was employed by Maurice Bergman (to work on the very broad and national campaigns of "Golden Boy" and "Mr. Smith Goes to Washington"), is preparing to go on a two-month hunting trip—after making an inspection tour of his farm lands in the vicinity of Highbridge, New Jersey. Out there Gaynor enjoys the pleasures of gentleman farming. He raises turkeys and also owns a fighting rooster, a dog and a couple of birds. The place is off the road in a secluded section of the countryside—a delightful retreat.

THIS is as good a way as any to get the name of a picture in print.

Kenneth Force reports that at Fall City, Neb., thieves or spies broke into the projection booth of the Rivoli Theatre and got away with two reels of "The Fight for Peace," on the day before the picture was scheduled to open.

'Babes' Hits Big $18,600, Leads Loop

CHICAGO, Oct. 24. — "Babes in Arms" at the United Artists was a standout, grossing $18,600.

"Four Feathers" at the Roosevelt took $12,200. The weather was fair and cool.

Estimated takings for the week ending Oct. 18-Oct. 21:

"They Shall Have Music" (U.A.)
APOLLO—(1,400) (25c-55c-75c) (7 days) Gross: $6,200. (Average, $6,000)
"The Rains Came" (20th-Fox)
CHICAGO—(4,000) (35c-55c-75c) 7 days. 2nd week. Stage: Vaudeville Revue. Gross: $30,500. (Average, $32,000)
"1,000 a Touchdown" (Para.)
"Mutiny in the Big House" (Mono.)
GARRICK—(900) (35c-40c-65c) 7 days. Gross: $4,800. (Average, $5,000)
"Hotel for Women" (20th-Fox)
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: Ina Ray Hutton & Band. Gross: $13,500. (Average, $13,000)
"Rio" (Univ.)
PALACE—(2,500) (35c-55c-75c) 7 days. Stage: Vaudeville Revue. Gross: $15,600. (Average, $18,000)
"Four Feathers" (U.A.)
ROOSEVELT—(1,300) (35c-55c-75c) 7 days. Gross: $12,200. (Average, $11,000)
'Winter Carnival" (U.A.)
STATE-LAKE—(2,700) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $12,600. (Average, $12,000)
'Babes In Arms" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. Gross: $18,600. (Average, $14,000)

Call NLRB Election In Cartoon Studios

WASHINGTON, Oct. 24.—Elections by production employees in animated cartoon production for Walter Lantz Productions, Loew's, Inc., Raymond Katz Studio and Leon Schlesinger Productions, to determine whether they shall be represented for collective bargaining purposes by the Screen Cartoon Guild, were ordered today by the National Labor Relations Board, to be held within 30 days.

Name Bands in St. Louis

ST. LOUIS, Oct. 24.—Big "name" bands have been booked for the Fox, Fanchon & Marco's major first run theatre here, which resumed stage shows last week with an A. B. Marcus revue. Cab Calloway and his Cotton Club Revue will move into the house Nov. 10, also for a week. Horace Heidt and his Musical Knights will play the week beginning Nov. 24.

Plan Union Meeting

CHICAGO, Oct. 24.—Neil Bishop, union official representing the exchange employes' union, will leave next month for Indianapolis to hold a meeting there of district leaders. The sessions will be held at the Antlers Hotel. Exact dates have not been set.

Managers Delay Action

HOLLYWOOD, Oct. 24.—The Artists' Managers Guild, at a meeting last night, again discussed the terms of the Screen Actors Guild licensing pact and deferred action for one week.

Lykes' Father Dies

CLEVELAND, Oct. 24.—Charles W. Lykes, 62, father of Jack E. Lykes, manager of Loew's Stillman here, died of a heart attack at his home in nearby Canton.

M-G-M IS ON


THE WOMEN
Norma Shearer
Joan Crawford
Rosalind Russell
BABES IN ARMS
Mickey Rooney
Judy Garland

THE MARCH!

No company—ever—at any time has had so many hits and the Parade will continue throughout 1939-40. As ever it is M-G-M, the solid rock upon which your true security rests, that electrifies the industry with optimism when courage and fortitude are most needed. Here are pictures to play and to promote for long, successful engagements. Hooray for Leo! Friendly company indeed!



More on the way!

Short Subject Reviews

"Rubinoff and His Violin"
(Warners)

Rubinoff, playing his violin and conducting his orchestra, presents a lively little musical. Jane Claire sings one tune and Jack Holland and June Hart provide a specialty dance. Five songs are heard. Should be popular. Running time, 10 mins.

"Naughty Neighbors"
(Warners)

Set in the Kentucky mountains, this black and white "Looney Tune" shows Porky Pig as the leader of one feuding family while Petunia Pig is the leader of the opposition. A peace treaty is signed but sporadic fighting starts again. Not up to par. Running time, 7 mins.

"An Organ Novelty"
(Warners)

The Three Crawfords, Mr. and Mrs. Jesse Crawford and their daughter, Jessie, play some favorite tunes on three organs. The playing of the Crawfords is almost certain to entertain any audience and the selection of their numbers is excellent. Miriam Grahame and Robert Simmons provide vocal accompaniment. Worthwhile. Running time, 9 mins.

"World's Fair Junior"
(Warners)

The Vitaphone Kiddies decide to put on a fair which features entertainment only. A large variety of acts is put on, most of them having the emphasis on talent rather than cuteness. Singing, dancing, comedy, and acrobatics are featured. Considerably too long. Running time, 20 mins.

"Fresh Fish"
(Warners)

Here is another excellent "Merrie Melody" in color. A professor goes to the bottom of the ocean to find a rare species of shark. While he is searching, some "unusual" species of fish are shown, including a barking dogfish, a taxi crab, another crab in the form of Ned Sparks, a star fish who might be Katharine Hepburn, and others. The animation is lively. Running time, 7 mins.

"Birth of the Movies"
(Alliance Films)

"Birth of the Movies" undertakes to trace the origin and development of the motion picture. Except for the fact that the short subject attempts to cover too much ground, an interesting birdseye view is presented. Among the clips are those showing Mary Pickford, Charles Chaplin, Tom Mix, Sarah Bernhardt, Al Jolson, Marlene Dietrich and Emil Jannings. Should hold audience attention. Running time, 22 mins.

"The Monroe Doctrine"
(Warners)

Warners has produced another sure fire hit in the current series of historical shorts. Done in color, "The Monroe Doctrine" describes the origin of the famous American policy and its subsequent expansion and development. An excellent cast, headed by Grant Mitchell, James Stephenson, Sidney Blackmer and Charles Waldron, portrays the intrigue which preceded the adoption of the Doctrine and explains why it was necessary. Deserves special exploitation. Running time, 16 mins.

'Iron Mask' Sets Mexico Record, $10,250 in Week

By JAMES LOCKHART

MEXICO CITY, Oct. 24.—United Artist's "The Man in the Iron Mask" established a new high box-office record here when it grossed $10,250 in one week at the select Cine Teatro Alameda. The top ran from 35 to 45 cents. This is the best business any picture has ever done in Mexico. United Artists also scored a record at the Alameda last year with "Algiers" which grossed $8,060 in one week.

Film possibilities are looming for the handsome theatre of the Government-owned Palace of Fine Arts here, which has been a white elephant as a stage theatre, so much so that the Government is now renting it for only $26 a day, including Sundays and holidays.

The Government, insisting that only entertainments of a high cultural nature shall be presented in the hall, has shied away from films. A. Warshawsky, an Austrian impresario, has made a tempting bid for the theatre: A five-year lease at monthly rents of $1,200 for the first year and up to $1,400 a month for the rest of the time. He insists that he have the option of exhibiting pictures if the stage business isn't up to par. This bid is said to appeal to the Government, though it is trying to get some straight stage impresario to take over the hall for all of 1940.

An entertainment picture is being made for the first time in Mexico as propaganda for irrigation works accomplished in the arid parts of the northwest by the administration of President Lazaro Cardenas.

Not to be outdone by the Germans, who are advertising completely, but without comment, the 27 short-wave radio stations in Germany, the British have followed suit. They are using considerable paid newspaper space to draw attention to the 18 short-wave stations in and about London.

Thirty-six Argentine-made pictures have arrived here for distribution between now and Christmas.

The law recently approved by the local civic Government which provides forced exhibition of Mexican-made films on the basis of at least one a month for the second run theatres and one every two months for first runs, has been made national, under a decree by President Cardenas.

Consolidation under its banner of all free picture workers organizations in Mexico has been started by the National Cinematographic Workers' Union which considers that one big union is better for the industry as a whole than many small ones.

As part of the new public safety regulations, exhibitors, under threat of heavy fines, are forbidden to sell more tickets than there are available seats.

Exhibitors throughout Mexico have organized the National Union of Cinematographic Impresarios for mutual benefit and protection. The officers are: Ernesto E. Trujillo, president; Pedro F. de Leon, secretary general, and Edrulfo Escandon, treasurer.

'Cavalcade' $8,000 Indianapolis' Best

INDIANAPOLIS, Oct. 24.—"Hollywood Cavalcade" and "The Escape" gave the Indiana $8,000. Second was "The Chicken Wagon Family" with a revue on stage, good for $10,300 at the Lyric.

Estimated takings for the week ending Oct. 19-20:

"The Old Maid" (W.B.)
"Everybody's Hobby" (W.B.)
APOLLO—(1,100) (25c-40c) 7 days. 2nd week. Gross: $2,600. (Average, $2,600)
"Nurse Edith Cavell" (RKO)
"Everything's On Ice" (RKO)
CIRCLE—(2,800) (25c-40c) 7 days. Gross: $5,500. (Average, $6,000)
"Hollywood Cavalcade" (20th-Fox)
"The Escape" (20th-Fox)
INDIANA — (3,200) (25c-40c) 7 days Gross: $8,000. (Average, $5,000)
"They Shall Have Music" (U.A.)
"Dancing Coed" (M-G-M)
LOEW'S—(2,800) (25c-40c) 7 days. Gross: $6,500. (Average, $7,000)
"The Chicken Wagon Family" (20th-Fox)
LYRIC—(2,000) (25c-40c) 7 days. Stage: Marcus Revue. Gross: $10,300. (Average, $8,000)

Lehman to Attend 'Mohawk' Opening

Gov. Herbert H. Lehman and Mayor John Boyd Thatcher of Albany have accepted invitations to the premiere of "Drums Along the Mohawk," 20th Century-Fox film, at Fabian's Palace in Albany Nov. 2.

Mayors and other notables will attend premieres the same night in Schenectady, Utica, Gloversville and Amsterdam. The studio is sending a number of players, including Eddie Collins, Arleen Whelan, Joan Davis and Lynn Bari, to make personal appearances at the openings. Jane Withers, who is in the East, will join the delegation.

Exploitation will feature a broadcast dramatization of the film over a 79-station CBS network on the Kate Smith hour Nov. 3 and a nationwide billboard campaign.

'Jamaica' $8,300 New Haven Smash

NEW HAVEN, Oct. 24.—"Jamaica Inn" and "Quick Millions" at the Paramount drew a strong $8,300.

Estimated takings for the week ending Oct. 19:

"Winter Carnival" (U.A.)
"Conspiracy" (RKO)
COLLEGE — (1,499) (25c-35c) 7 days. Gross: $3,000. (Average, $2,700)
"Hollywood Cavalcade" (20th-Fox)
"Behind Prison Gates" (Col.)
LOEW-POLI — (3,040) (35c-40c) 7 days. Gross: $8,400. (Average, $8,000)
"Jamaica Inn" (Para.)
"Quick Millions" (20th-Fox)
PARAMOUNT—(2,348) (35c-50c) 7 days. Gross: $8,300. (Average, $4,000)
"On Your Toes" (W.B.)
"Pride of the Bluegrass" (W.B.)
ROGER SHERMAN — (2,200) (35c-50c) 7 days. Gross: $3,300. (Average, $5,000)

Theatre, Personnel Notes

Five New Texas Houses

DALLAS, Oct. 24.—Five new theatre properties in Texas are: R. E. Griffith building a house at Denver City; $65,000 theatre with 750 seats to be built at Five Points by Texas Consolidated Theatres, Inc.; the Navaway in Houston, to be opened shortly by Ben McKinney; new 400-seat theatre at Kountze opened by J. M. Langston of Broaddus, and a new theatre at Lindale, erected by J. T. Dorsay.

Delay St. Louis Opening

ST. LOUIS, Oct. 24.—Opening of the new $350,000 Esquire, in suburban Richmond Heights, has been delayed until about Nov. 1, according to Harry Greenman, manager.

Norris Transferred

KANSAS CITY, Oct. 24.—Frank Norris, who has been at the Memphis exchange booking for Warners, has been transferred here. He replaces Ted Hammer, who goes to New York.

Wehrenberg Takes Two

ST. LOUIS, Oct. 24.—Fred Wehrenberg, owner of a group of South Side neighborhood houses, has taken over the Lemay and Southway.

Takes Missouri House

KANSAS CITY, Oct. 24.—Mrs. Marion Miller has completely redecorated the Casino, Boonville, Mo., and installed a new screen and other equipment.

Opens in Claflin, Kan.

CLAFLIN, KAN., Oct. 24.—Eugene Mahoney has opened the Claflin here.

Takes St. Joseph Spot

KANSAS CITY, Oct. 24.—M. B. Presley, who operates the New Globe at Savannah, Mo., and the Dixie at Belton, Mo., has taken over the Louis, colored patronage house, at St. Joseph, Mo., from Earl Courter.

Matin Joins RKO

OMAHA, Oct. 24.—D. D. Matin has joined the RKO sales staff, replacing Sol Yeager, who resigned. Matin was formerly with Monogram and Grand National.

Erect New Kansas House

COLUMBUS, KAN., Oct. 24.—A new theatre remodeled from an existing building, is being built by Art Pugh.

Quits 20th-Fox in Omaha

OMAHA, Oct. 24.—Robert Berke, 20th Century-Fox salesman, has resigned and has gone to Hollywood.

Kallet Rebuilds House

ROME, N. Y., Oct. 24.—Kallet Circuit has completely rebuilt the Strand here at an estimated cost of $40,000.

Crescent to Remodel

DECATUR, Ala., Oct. 24.—The Crescent Amusement Co. will remodel the Princess here at a cost of $25,000.

Is Metro Office Manager

ALBANY, Oct. 24.—Sidney Stockton is M-G-M's new office manager here, coming from the New York office.

AMERICA'S FIRST REBEL AND HIS UNTAMED BLONDE IN BUCKSKIN... ROARING TO ROMANCE IN RKO RADIO'S STAGGERING SHOW OF PIONEER DAYS!



THEY DARED THE PERIL PATH TO GLORY WHEN PITTSBURGH WAS "WAY OUT WEST!"

The screen's great drama of America's first frontiers . . . Told through the romance of two who stood for all that was American before the Union was born! . . . Told with a smash and a pace and a scope to leave you breathless . . . Told on a canvas stretching beyond the farthest horizons of spectacle and thrill . . . THE ACTION GIANT OF THE YEAR—AND BOX-OFFICE EVERY INCH!



ALLEGHENY UPRISING



starring

CLAIRE TREVOR • JOHN WAYNE

with

GEORGE SANDERS • BRIAN DONLEVY • WILFRID LAWSON

ROBERT BARRAT • JOHN F. HAMILTON • MORONI OLSEN • EDDIE QUILLAN

Produced by P. J. Wolfson • Directed by William A. Seiter

PANDRO S. BERMAN *in Charge of Production*

Screen Play by P. J. Wolfson

RKO RADIO PICTURES

Denham Move Is Abandoned By Exchange

By AUBREY FLANAGAN

LONDON, Oct. 11 (*By Mail*)—It is not likely now that the Stock Exchange will move to Denham Studios, as was originally planned. Stockbrokers and others opposed the evacuation, considering it unlikely that members in any great numbers would be able to reach Denham.

The anti-Simon tax campaign, which was launched by the trade against the 1939 Budget, cost the Cinematograph Exhibitors Association $5,000.

The question of the British Film Institute's functions in wartime was considered by a special subcommittee. The governors of the institute held a meeting recently and decided to delegate ultimate decisions to a subcommittee.

Additional safeguards for patrons attending film houses in wartime are likely to be imposed by the British Home Office. The conditions are at present the subject of discussion between the Home Office and the C.E.A., but are not likely to be too stringent. They will deal mainly with such things as children's admission, lighting and exits, and the like.

Office Workers Get A. F. L. Crafts' Bid

HOLLYWOOD, Oct. 24.—A.F. of L. studio crafts, through business representatives today, went on record as opposing formation of any guilds of office workers and other clerical help which might have C.I.O. tinge or become company unions.

Representatives of all A.F. of L. studio crafts with exception of Moving Picture Painters Local 644 declared they would ask A.F. of L. Office Workers Union to enter studio field. Universal Office Employees Assn. is seeking a contract with the studio for its members and has asked N.L.R.B. to certify it as sole collective bargaining agency.

At M-G-M, office workers have a contract running until 1941.

Mills Dinner Arranged

ALBANY, Oct. 24.—Meyer Schine of the Schine Circuit, Gloversville; Mike Kallet of the Kallet Circuit, Oneida; Simon H. Fabian of Fabian Theatres, New York, M. A. Silver, zone manager for Warner Theatres; Louis R. Golding, Fabian district manager, Albany, and William C. Smalley of the Smalley Circuit, Cooperstown, will be the speakers at the testimonial dinner for Bernard Mills, former Republic franchise holder here, at the Ten Eyck Hotel next Monday night.

Two More for Butler

HOLLYWOOD, Oct. 24.—Dave Butler over the weekend signed to produce and direct two more pictures for RKO. He has just finished "That's Right, You're Wrong," Kay Kyser musical. First of the new duo will be another Kyser musical.

New York Review

"Rasputin"

(Concord Films)

Harry Baur must be acknowledged as one of the foremost character actors of the screen, either European or American. Generally speaking, his appearances are weighty personality studies, in which he completely dominates the screen. This portrayal of the notorious "Mad Monk" of Imperial Russia, who held sway over a dynasty for several hectic years, is no exception.

A Max Glass production, filmed in Paris, and with English subtitles for American audiences, the picture was adapted from a novel, "Tragedie Imperiale," by Alfred Neumann, and directed skillfully by Marcel L'Herbier. He permitted Bauer to offer his own interpretation of the mystic of Russia, who is pictured as combining a sensuous love of life with a deep desire to bring about the betterment of the peasants, of whom he was one.

Baur offers a portrayal which on the whole is sympathetic, perhaps too sympathetic, of Rasputin, although there is no minimizing of the sensuous qualities of the man. It is strictly adult motion picture fare, in any case.

The picture has been given the benefit of production backgrounds of quality, and the supporting roles are for the most part admirably performed. It is certainly, from the standpoint of production technique and character portrayal, despite occasional dragging moments, one of the better things to come from the French studios.

Running time, 93 minutes. "A"* CHARLES S. AARONSON.

**"A" denotes adult classification.*

Scophony Mission Brings Levey Here

With the cessation of television transmission in England, Arthur Levey, member of the board of Scophony, plans to spend the rest of the year in this country to establish an American outlet for the Scophony sets. Levey, who arrived from England last week, will spend three weeks here and then go to the Coast.

The Scophony sets are designed with screens of two feet by two feet, and three feet by four feet, for home use, and 18 feet by 15 feet or theatre use. Based on English prices, these sets would retail for about half current American prices, Levey declared.

Although the sets are designed for receiving the standard British 405-line, only slight adjustments will be required to adapt them for the 445-line transmission used here. The sets will be manufactured here.

Although Levey discussed the possibility of establishing a television station with the F.C.C. last year, present plans are to concentrate on marketing sets rather than telecasting.

'Cavalcade' Draws $8,900 in Montreal

MONTREAL, Oct. 24.—"Hollywood Cavalcade" took $8,900 at the Palace. Third week of "The Wizard of Oz" held up to $6,300 at Loew's.

Estimated takings for the week ending Oct. 20:

"Thunder Afloat" (M-G-M)
"Hawaiian Nights" (Univ.)
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days. Gross: $6,800. (Average, $8,000)

"The Wizard of Oz" (M-G-M)
LOEW'S — (2,800) (30c-40c-60c) 7 days. Gross: $6,300. Third week. (Average, $8,000)

"The Man in the Iron Mask" (U.A.)
ORPHEUM—(919) (25c-35c-50c) 7 days. Gross: $3,000. 3rd week. (Average, $5,000)

"Hollywood Cavalcade" (20th-Fox)
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $8,900. (Average, $10,000)

"Blackmail" (M-G-M)
"Quick Millions" (20th-Fox)
PRINCESS — (2,272) (25c-35c-50c-65c) 7 days. Gross: $5,000. (Average, $6,500)

Radio Programs

John Morrell & Co. will add 21 stations on Dec. 31 to the 30 NBC-Red stations now used by "Bob Beckers Chats about Dogs" on behalf of Red Heart dog food. Programs now heard at 3:45 P.M. Sundays will change its time to 5:15 P.M. on Nov. 19.

"Myrt and Marge" will celebrate its eighth anniversary Thursday, Nov. 2, at 10:15 A. M. over 71 CBS stations. The program is heard Monday through Friday at the same time. Myrtle Vail, Donna Damerel and Ray Hedge, original members of the cast, are still with the program. On the same day, at 7:30 P. M., "Vox Pop" also celebrates its eighth anniversary over 53 CBS stations. . . .

Fulton Lewis, Jr., Mutual's Washington commentator, will be heard over 13 Mutual stations Monday, Wednesday and Friday, beginning Monday, Oct. 30, at 7 P. M. under the sponsorship of Detrola radios. He continues Tuesdays and Thursdays on a sustaining basis. Bass-Luckoff, Detroit, is the agency.

WMCA Moving Plea

Permission to remove its transmitter to Kearney, N. J., will be sought from the F.C.C., Donald Flamm, president of WMCA, disclosed yesterday. Two 300-foot towers at Flushing constitute a hazard at the North Beach airport, it was stated.

Majestic Radio Probe

Suspension of trading in Majestic Radio & Television Corp. stock was ordered by the N. Y. Curb Exchange yesterday following notification that the company is temporarily unable to meet its debts. Attorney General John J. Bennett ordered an investigation.

Government Network Set For Mexico

MEXICO CITY, Oct. 24.—Plans have been approved by the Mexican Government for establishing a network of 34 small radio stations, to cost about $30,000 each, for expansion of its agricultural educational program.

Costs of maintaining the stations is to be defrayed largely by leasing time to commercial companies whose programs will be in strict accordance with the Government's intention that only high class advertising can be done on this network.

The first of these stations is expected to be installed late this year and the entire network completed by next Spring.

After long and intensive search for pirate radio stations, the Ministry of Communications and Public Works, which has charge of radio, announces that it has not been able to find any such station.

However, private interests intercepted a short-wave message in German which gave information that two master mechanics had been sent from the *Columbus*, interned in Vera Cruz Bay, to make major repairs to a submarine supposedly hiding somewhere in the Gulf of Mexico. It is not known whether or not this station is in Mexico.

Lack of Protection Hurts Lima Grosses

Lack of protection to first runs in Lima, Peru, is hurting business in that city, according to Jose Calero Paz, distributor of Spanish language films in Latin America. Paz said the American distributors are responsible for this situation.

Another factor is the serious competition of subsequent runs, which are newer and have better equipment than the first runs in Lima.

Formerly for seven years RKO distributor in Peru, Paz handled 35 Mexican films and also Argentine product in Peru, Bolivia and Ecuador last year. He has signed as Republic distributor in that territory, beginning this year. His company also handles sound equipment.

Eighty per cent of the playing time in Peru is given to American pictures, says Paz, and the balance to Spanish language and French films. Mexican pictures are inferior, due to inefficient production, but Argentine product is in great demand.

Frank Little Dies

DENVER, Oct. 24.—Frank H. Little, 81, named first western divisional manager of the Edison Motion Picture Co. in 1899, is dead. He brought the first Passion Play film here in 1904. He retired in 1927, and is survived by his wife whom he married 54 years ago.

Local Reel Announcer

SAN FRANCISCO, Oct. 24.—John H. Tobin, veteran film and radio commentator, has been signed by the new Telenews Theatre here as regular commentator for new newsreels, shown weekly on the screen of the newsreel house, recently opened.

Cantor, 'Boys' Sweep Boston With $39,000

BOSTON, Oct. 24.—Eddie Cantor and his stage revue and "Two Bright Boys" on the screen at the RKO Keith Boston took $39,000. "Nurse Edith Cavell" and "The Day the Bookies Wept" took $19,000 at Keith Memorial.

Estimated grosses for the week ending Oct. 18:

"Two Bright Boys" (Univ.)
Eddie Cantor revue on Stage.
RKO KEITH BOSTON—(3,200) (40c-55c-65c) 6 days. $39,000.
"Nurse Edith Cavell" (RKO)
"The Day the Bookies Wept" (RKO)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days. Gross: $19,000. (Average, $14,500)
"Here I Am, A Stranger" (20th-Fox)
"Hawaiian Nights" (Univ.)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $5,000. (Average, $7,000)
"Here I Am, A Stranger" (20th-Fox)
"Hawaiian Nights" (Univ.)
FENWAY — (1,382) (25c-35c-40c-55c). 7 days. Gross: $3,700. (Average, $4,500)
"Honeymoon in Bali" (Para.)
"Pride of the Bluegrass" (W.B.)
METROPOLITAN — (4,332) (25c-35c-40c-55c) 7 days. Gross: $13,000. (Average, $14 500)
"Thunder Afloat" (M-G-M)
"Fast and Furious" (M-G-M)
LOEW'S ORPHEUM — (2,900) (25c-35c-40c-55c) 5 days. 2nd week. Gross: $13,600 (Average 7 days, $14.500)
"Thunder Afloat" (M-G-M)
"Fast and Furious" (M-G-M)
LOEW'S STATE—(3,000) (25c-35c-40c-55c) 5 days. 2nd week. Gross: $10,000. (Average 7 days, $11,000)
"What a Life" (Para.)
"The Man in the Iron Mask" (U.A.)
SCOLLAY — (2,500) (25c-35c-40c-50c) 7 days. Both 2nd run. Gross: $6,300. (Average, $4,000)

'Cavalcade' Gives Pittsburgh $13,500

PITTSBURGH, Oct. 24.—"Hollywood Cavalcade," with $13,500 at the Harris Alvin, and "Winter Carnival," supported by a personal appearance at the Stanley for $19,500, topped an average week kept up to par by an influx of weekend trade after the Pitt-Duke football game.

Estimated takings for the week ending Oct. 19:

"Hollywood Cavalcade" (20th-Fox)
ALVIN—(1,900) (25c-35c-50c) 7 days. Gross: $13,500. (Average, $8,000)
"Two Bright Boys"
"Hawaiian Nights" (Univ.)
FULTON—(1,700) (25c-40c) 7 days. Gross: $3,400. (Average, $5,000)
"Fifth Avenue Girl" (RKO)
LOEW'S PENN—(3,600) (25c-35c-50c) 7 days. Gross: $11,500. (Average, $13,000)
"U-Boat 29" (Col.)
SENATOR—(2,000) (25c-40c) 7 days. Gross: $3,900. (Average, $3,500)
"Winter Carnival" (U. A.)
STANLEY—(3,600) (25c-40c-60c) 7 days. On stage: Henry Armetta, George Hall's orchestra, Dolly Dawn, Dick-Don & Dinah. Gross: $19.500. (Average, $17,000)
"Beau Geste" (Para.)
WARNER—(2,000) (25c-35c-50c) 7 days, 2nd week. Gross: $5,000. (Average, $5,000)

Leichter Cuts War Film to Eight Reels

HOLLYWOOD, Oct. 24.—"She Goes to War," acquired by Mitchell Leichter, has been cut down from the 10 reels in which it was released by United Artists in 1930 to eight reels, and modern action scenes have been added.

Leichter also has acquired from Inspiration Pictures, which produced "She Goes to War," the Lupe Velez-Jean Hersholt film, "Hell's Harbor," also previously distributed by United Artists.

Hollywood Review

"Beware, Spooks"

(Columbia)

HOLLYWOOD, Oct. 24.—This is not a ghost story, despite the title implication. Rather, "Beware, Spooks" is a farce comedy tailored to Joe E. Brown's measure. It has to do with the wild and woozy experiences which befall a rookie policeman. Rather slow at the start, during which time much attention is devoted to establishing identities, characters and circumstances, the show hits its real pace along about midway and from then on it's a laugh riot.

A play by Richard Flournoy which he, Albert Duffy and Brian Marlow adapted, is the basis for the production. Unorthodoxly, however, the writers did not demand that too much concentration be placed on script formula, but so arranged things that Brown should be the focal point of all action and excitement. Director Edward Sedgwick retained the method.

Trouble is the only gift rookie cop Brown gets on his wedding day. Permitting killer Marc Lawrence to escape, he then helps yegg Don Beddoe stage a holdup. Fired by commissioner Clarence Kolb, he goes honeymooning with Mary Carlisle. At an amusement park, Brown runs across Beddoe, but before he can nab him, his quarry is slain. This leads to hysterically comic goings on in the Spook House (fun house) with Brown and Lawrence jumping on and off all the rides, slides and glides and furiously chasing each other through all the trick rooms before the worn-out murderer is captured.

Brown, once in stride, carries the show at a merry clip. The assistance given him by Miss Carlisle, Kolb, Lawrence and Beddoe is of just the kind expected in a Joe E. Brown picture.

Running time, 65 minutes. "G"* G. McC.

**"G" denotes general classification.*

'Jamaica' Garners $8,500, Providence

PROVIDENCE, Oct. 24.—"Jamaica Inn" and "$1,000 a Touchdown" at the Strand pulled $10,500, "Hollywood Cavalcade" gave the Majestic $8,500.

Estimated takings for the week ending Oct. 17-19:

"Jamaica Inn" (Para.)
"$1,000 a Touchdown" (Para.)
STRAND—(2,100) (25c-35c-50c) 7 days. Gross: $8,500. (Average, $6,000)
"Hollywood Cavalcade" (20th-Fox)
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $8.500. (Average, $7.000)
"Nurse Edith Cavell" (RKO)
"The Day the Bookies Wept" (RKO)
RKO-ALBEE (2,239) (25c-35c-50c) 7 days. Gross: $8,500. (Average, $6,000)
"They Shall Have Music" (U. A.)
"Blackmail" (M-G-M)
LOEW'S STATE—(3,230) (25c-35c-50c) 7 days. Gross: $10,000. (Average, $11,000)
"Pack Up Your Troubles" (20th-Fox)
FAY'S—(1,800) (25c-35c-40c) 7 days. Vaudeville. Gross: $6,500. (Average, $6,500)
"Honeymoon in Bali" (Para.)
"Behind Prison Gates" (Col.)
Carlton—(1,526) (25c-35c-50c) 7 days, 2nd week. Gross: $3,200. (Average, $3.500)
"The Star Maker" (Para.) (3 days)
"Frontier Marshal" (20th-Fox) (3 days)
"I Stole a Million" (Univ.) (4 days)
"Lady of the Tropics" (M-G-M) (4 days)
EMPIRE—(2,200) (20c-30c) 2nd run. Gross: $1,600. (Average, $1,800)

WB Publicity Changes

A shift in Warners home office publicity department has placed Robert William in charge of New York newspaper contacts, succeeding Arthur B. Donegan, who has joined the NBC publicity staff. William, who handled fan magazines, has been succeeded by Bert Gilden in that capacity.

Mistrial in Ney Case

CHARLOTTE, N. C., Oct. 24.—The trial of the $250.000 infringement suit brought by LeGette Blythe, author of "Marshal Ney: A Dual Life," against Loew's, Inc., ended in a mistrial when one of the jurors developed influenza.

'Cavalcade' $8,600, Big in Kansas City

KANSAS CITY, Oct. 24.—"Hollywood Cavalcade" made the best showing of the week with $3,600 at the Esquire, and $5,000 at the Uptown, whose average is $3,500. The weather was clear with a couple of cold days.

Estimated takings for the week ending Oct. 17-19:

"Hollywood Cavalcade" (20th-Fox)
ESQUIRE—(800), 25c-40c, 7 days. Gross: $3,600. (Average, $3,000)
"The Real Glory" (U. A.)
"Behind Prison Gates" (Col.)
MIDLAND—(4,000) (25c-40c) 7 days. Gross: $10,900. (Average, $10,500)
"What a Life" (Para.)
NEWMAN—(1,900) (25c-40c) 7 days. Gross: $6,400. (Average, $7,000)
"Fifth Avenue Girl" (RKO)
"The Spellbinder" (RKO)
ORPHEUM—(1,500) (25c-40c) 7 days. Gross: $4,200. (Average, $5,000)
"Pack Up Your Troubles (20th-Fox)
TOWER—(2,200) (25c) 7 days. Stage: Rodeo Revelries with Eddi Peabody, Dorothy Crooker, Texas Tommy & His Wonder Horse, Bonger and Andrilita, Don Harris, Navoline Payne. Gross: $5,100. (Average, $5,000)
"Hollywood Cavalcade" (20th-Fox)
UPTOWN—(2,000) (25c-40c) 7 days. Gross: $5,000. (Average, $3,500)

'Cavell' at $5,200 Is Omaha Winner

OMAHA, Oct. 24.—"Nurse Edith Cavell" was good for $5,200 at the Brandeis, comparatively the best of the week.

Estimated takings for the week ending Oct. 18-19:

"Nurse Edith Cavell" (RKO)
"The Day The Bookies Wept" (RKO)
BRANDEIS—(1,200) (25c-35c-40c) 7 days. Gross: $5,200. (Average, $4,000)
"The Real Glory" (U. A.)
"Miracles For Sale" (M-G-M)
OMAHA—(2,200) (25c-40c) 7 days. Gross: $6.300. (Average, $6.000)
"The Under-Pup" (Univ.)
ORPHEUM—(3,000) (35c-55c) 7 days. Stage: Glen Gray and orchestra. Gross: $13,800. (Average, $13,500)

'Real Glory' Tops Seattle With $8,000

SEATTLE, Oct. 24.—"The Real Glory" scored a strong $8,000 at the Liberty, while "Hollywood Cavalcade" and "Charlie Chan at Treasure Island" drew $6,700 at the Paramount. The weather was cool and wet, with the opening of the concert season providing some competition.

Estimated takings for the week ending Oct. 20:

"Fifth Avenue Girl" (RKO)
"Hero for a Day" (Univ.)
FIFTH AVENUE—(2,500) (25c-30c-40c-55c) 7 days. Gross: $6,200. (Average, $7,000)
"The Real Glory" (U. A.)
LIBERTY—(1,800) (25c-40c-55c) 7 days. Gross: $8,000. (Average, $5,000)
"The Women" (M-G-M)
MUSIC BOX—(950) (25c-40c-55c) 7 days, 3rd week. Gross: $4,300. (Average, $4,000)
"Thunder Afloat" (M-G-M)
"Stronger Than Desire" (M-G-M)
ORPHEUM—(2,450) (25c-40c) 7 days, 2nd week. Gross: $4,800. (Average, $6,000)
"Pride of the Bluegrass" (W. B.)
PALOMAR—(1,500), 20c-25c-40c, 7 days. Thurston's Show of Magic on stage. Gross: $4,800. (Average, $5,000)
"Hollywood Cavalcade" (20th-Fox)
"Charlie Chan at Treasure Island" (20th-Fox)
PARAMOUNT—(3,050) (25c-40c) 7 days. Gross: $6,700. (Average, $6,000)
"Espionage Agent" (W. B.)
ROOSEVELT—(750) (25c-40c) 7 days, 2nd week. Gross. $2,900. (Average, $3,500)

'Babes' Cincinnati Smash with $19,500

CINCINNATI, Oct. 24.—"Babes in Arms" led the field with a strong $19,500 at the RKO Albee, and "All Quiet on the Western Front" gave the RKO Lyric a good $6,500.

Estimated takings for the week ending Oct. 18-21:

"Babes in Arms" (M-G-M)
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $19,500. (Average, $12,000)
"Hollywood Cavalcade" (20th-Fox)
RKO PALACE—(2,700) (35c-42c) 7 days, 2nd week. Gross: $7,300. (Average, $10,000)
"Coast Guard" (Col.)
RKO SHUBERT—(2,150) (40c-60c) 7 days. Stage: Lottie Mayer's Watercade and acts. Gross: $11,500. (Average, $10,000)
"They Shall Have Music" (U. A.)
RKO CAPITOL—(2,000) (35c-42c) 7 days. Gross: $4,900. (Average, $6,500)
"All Quiet on the Western Front" (Univ.)
RKO LYRIC—(1,400), 25c-40c, 7 days. Gross: $6.500. (Average, $5,000)
"Prison Born" (Mono.)
"In Old Monterey" (Repub.)
RKO FAMILY—(1,000) (15c-25c) 4 days. Gross: $1.200. (Average, $1,500)
"Dead Men Tell No Tales" (Alliance)
"Hawaiian Nights" (Univ.)
RKO FAMILY—(1,000) (15c-25c) 3 days. Gross: $950. (Average, $900)
"Espionage Agent" (W. B.)
KEITH'S—(1,500) (30c-40c) 7 days. Gross: $4,300. (Average, $6,000)

Retitle French Film

"J'Accuse," French film distributed here by Arthur Mayer and Joseph Burstyn, will be released as "Vision of Verdun." It had been titled tentatively "That They May Live." A screening of the film was held yesterday for members of the Overseas Press Club. Pierre van Paassen, author and writer of the English titles for the picture, spoke.

Cowdin in Studio Talks

HOLLYWOOD, Oct. 24.—J. Cheever Cowdin, chairman of the board of Universal, has begun studio conferences with Cliff Work, Matthew Fox and other executives on routine matters.

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 82 NEW YORK, THURSDAY, OCTOBER 26, 1939 TEN CENTS

Neutrality Act Offers Guard For Industry

Shipments Abroad Via Canada Sanctioned

WASHINGTON, Oct. 25.—The Senate's amendment to the Neutrality Bill, exempting ordinary, inland commerce with Canada from the "title and carry" restrictions of the measure, is viewed in trade circles here as a solution of the major problems confronting motion picture exports in the neutrality legislation.

If the amendment survives House action, it is believed the Neutrality Bill will impose no undue hardship on the industry's trade with its leading European customers.

The Senate amendment, offered by Senator Brown of Michigan, would permit shipment by inland waterways, rail or airplanes of any materials or supplies, except arms, to Canada without the purchaser first being required to obtain title in this country. Shipments going by sea, however, could not be carried in American vessels and would require title transfer.

Trade observers here point out that if the amendment stands film distributors could ship to Canadian branches in the usual way and that negatives could be sent abroad from Canadian ports in any vessel of foreign registry.

The title change provision of the Neutrality Bill was regarded by the industry as the most serious threat to film exports offered by the measure because no sound method of determining a sales price for a negative, nor of obtaining cash for it prior to shipment abroad, has been devised or was likely to be.

Walsh Will Direct Big Republic Film

Raoul Walsh yesterday was signed by Republic to direct "Dark Command." The deal was concluded on the Coast. H. J. Yates said this will be the first of Republic's new group of big budget pictures. Production starts in two weeks.

The story is of the operations of Quantrell's Raiders in Kansas during the Civil War. Claire Trevor, under contract to RKO, will be featured opposite John Wayne, Republic player, continuing the team featured in RKO's "Allegheny Uprising."

Yates said others in the cast will be Brian Donlevy, Beulah Bondi, Charles Bickford, George (Gabby) Hayes, Lloyd Nolan, John Carradine, Donald Meek and Donald Barry.

Pittsburgh Variety Dinner on Sunday Will Attract 1,000

PITTSBURGH, Oct. 25.—Outstanding personalities of films, theatre, sports and politics will be guests at the 11th annual banquet of Variety Club, Tent No. 1, next Sunday evening at the William Penn. John H. Harris is chairman.

Besides Rev. Edward Flanagan of Boys Town, Neb., who will again be honored as recipient of the Variety Club's first national Humanitarian Award, at the speakers' table will be Edward Everett Horton, Dr. Harry Hagen of the "True and False" radio program, Baseball Managers Joe McCarthy and Bill McKechnie, the light-heavyweight boxing champion, Billy Conn, Gus Van, Coach Bill Kern of

(*Continued on page 4*)

Levin Dies in Plunge; Ex-Fox Theatre Man

Charles S. Levin, 73, part owner of the Cameo Theatre, 138 W. 42nd St., and formerly secretary and assistant to the general manager of Fox Theatres Corp., was killed yesterday afternoon.

Levin, who had been suffering from stomach ulcers, plunged from the 11th floor roof extension outside of his office at the Bush building. For more than 20 years he had been associated with Matty Radin, his partner at the Cameo.

Levin is survived by his wife. He lived at 344 W. 72nd St. Private family services will be held today.

Laboratory Union Threatens Strike

Hollywood, Oct. 25.—Unless major studios stop sending work to four small laboratories which reportedly have failed to negotiate with Laboratory Technicians Local 683 on bargaining contract, all laboratory workers on the lots affected will go out on strike. This ultimatum was delivered last night by David G. Lory, business agent of I.A.T.S.E. local. The affected laboratories are Cinecolor, Mercer, Williams and Pacific Title.

WMCA Is Cleared Of F. C. C. Charge

WASHINGTON, Oct. 25.—Federal Communications Commission today closed its case against WMCA with a finding that an order of revocation was not justified, but entering the case upon its records for future consideration.

The commission held that "on the whole, grave doubt has been cast upon the licensee's qualifications to operate its station in a manner consistent with the public interest. Accordingly, the record made in the different phases of this proceeding must be of cumulative weight in determining the disposition to be made upon any future examination into the conduct of this station."

WMCA was charged with having intercepted and broadcast secret Government radio communications of Germany and England.

SAG Forbids Free Radio Performances by Actors

HOLLYWOOD, Oct. 25.—A concerted move to prevent recurrence of screen actors being compelled to make free radio appearances was made today by the Screen Actors Guild.

The Guild informed the Motion Picture Producers' Association that such a practice by any studio would be considered violation of the S.A.G. basic agreement.

In another move, the American Federation of Radio Actors national board was asked by Lawrence Beilenson, S.A.G. attorney, and I. B. Kornblum, local A.F.R.A representative, to suspend or discipline any member who works on radio shows below ordinary salary.

The action followed the disclosure that Louella O. Parsons, Hearst radio columnist, would introduce players appearing on "Drums Along the Mohawk" dramatization on Kate Smith show Nov. 3, which was regarded by the Guild as the opening wedge for free performance shows by Hollywood players.

A S.A.G. bulletin sent today to members said:

"Free performances embody many dangers to actors. For screen actors it means potential loss of their additional income from radio work. For radio performers it means unfair competition from film actors who give free performances. For all actors it means more and more demands for work without pay."

Thanksgiving Conflict Offers No Hardships

N. Y. Holiday on Nov. 23; Release Dates Set

Official Thanksgiving dates as proclaimed by the governor of each state will be observed by exhibitors and distributors around the country. The national holiday has been moved up a week to Nov. 23 by proclamation of President Roosevelt, but some states will adhere to the traditional last Thursday in November, which is Nov. 30.

In states where governors have designated both dates as holidays, the major circuits will follow the holiday schedule on both dates.

Distributors will not change national release dates to conform to the varying observances, but will permit a leeway in booking pictures intended for the holiday.

Loew's, RKO and Warner circuits will charge holiday prices only on the date observed locally and will ignore the unofficial holiday.

Broadway theatres will adopt the holiday schedule for Nov. 23 only, charging holiday prices. There will be no holiday schedule on Nov. 30. There will be extra shows if football games are played in New York on Nov. 23. Otherwise, they may not be added.

Distributors say there will be no complications on release dates and bookings because of the different ob-

(*Continued on page 2*)

New Roxy, Strand Films Tomorrow

"The Roaring Twenties" bows in at the Strand tomorrow and "20,000 Men a Year" goes into the Roxy. At the Capitol, "Babes in Arms" drew an estimated $40,000 in its first week and holds over. "Jamaica Inn" grossed an estimated $27,000 at the Rivoli in its second week and continues for a third.

Para's Financial Report Due Today

The third quarter financial report of Paramount Pictures, Inc., which is expected to show a substantial profit for the July-August-September period, may be completed today for the regular monthly meeting of the company's board of directors. Profit for the first half of the current year was $2,130,000.

Naming of Receiver Brings G.N. Protest

Grand National attorneys today will file a petition in U.S. District Court here for an order to show cause why the order appointing a temporary receiver for the company should not be vacated and set aside. The order is returnable Friday morning before Federal Judge Samuel Mandelbaum.

The order appointing Simon H. Rifkin temporary receiver for Grand National was signed by Judge Mandelbaum yesterday on application of Hap Hadley, one of three creditors with claims totalling less than $1,300, who sought a petition in bankruptcy for the company on Monday.

Saul E. Rogers, Grand National counsel in the proceedings, said yesterday that the show cause order to be argued on Friday also would petition dismissal of the bankruptcy action. The order, he said, will deny the allegations of the alleged creditors and will contend that Grand National is a solvent corporation with more than $250,000 of assets. Hadley is an alleged creditor for $730.

Hays Board Still Meeting

Adjourned meeting of the M.P.P.D.A. board of directors held yesterday considered further the industry problems arising from the European war but, according to a statement to the press, took no action. The meeting was adjourned again, this time until tomorrow.

Grey Services Held

HOLLYWOOD, Oct. 25.—Christian Science funeral services for Zane Grey, who died early this week, were held this afternoon in Pasadena.



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Purely Personal

EDWARD GOLDEN, Monogram vice-president, has returned from conferences in Kansas City and Chicago.

•

PAUL GRAETZ, president of American Films Export Corp., arrives today from France on the *Nieuw Amsterdam*. Other passengers are LUISE RAINER and MIA SLAVENSKA, who has appeared in French films. MISS SLAVENSKA is with the Ballet Russe.

•

ROBERT GARLAND, district manager for Fox Intermountain in Denver, expects to leave the hospital next month after a long stay during which he was given 12 blood transfusions and suffered the amputation of his left arm, as the result of an auto accident.

•

JOSEPH LALIMA and ELIZABETH HOFFMAN of M-G-M's New York exchange returned yesterday from a trip to the San Francisco World's Fair and the M-G-M studios. They were with a delegation of 10 which won the trips in a national efficiency competition.

•

SUSAN HAYWARD, Paramount player, will be the guest of the Commissioner General for Brazil this afternoon at a reception and cocktail party at the Brazilian Pavilion at the World's Fair.

•

DAVID O. SELZNICK headed the list of film arrivals from Hollywood on the TWA *Sky Chief* yesterday. Others were LYNN BARI and her husband, WALTER KANE, and BRODERICK CRAWFORD.

•

CHARLES A. SMAKWITZ, Warner Theatres district manager in Albany, visited Utica this week, where Warners have three theatres, the Stanley, Avon and Utica.

•

HAROLD WOODS, city manager for Fox in Walsenberg, Col., is the father of a son, DONALD SCOTT, born to MRS. WOODS recently.

•

NATE GOLDSTEIN is here from Springfield, Mass., for conferences with LEON NETTER of Paramount.

•

WILLIAM F. RODGERS, general sales manager of M-G-M, returns today from White Sulphur Springs, W. Va.

•

VAUGHAN GLASER has returned to the Paramount studio after a brief New York vacation.

•

LOUIS CHARNINSKY has returned to Dallas from New York, with a stopover in Chicago.

•

WILLIAM M. LEVY, U. A. manager in Argentina, is conferring at the home office.

•

H. M. RICHEY, director of exhibitor relations for RKO, is back from Pittsburgh.

•

MAURICE DEKOBRA, French author and playwright, has arrived from Paris.

•

GEORGE SEITZ is en route to New York from the Coast for a vacation.

•

SAM FLAX, Republic franchise owner, has returned to Washington.

•

JOAN BLONDELL is due by train from the Coast tomorrow.

JOSEPH BERNHARD, general manager of Warner Bros. Theatres, and HARRY GOLDBERG, advertising manager, return to the home office today from a trip to Chicago and Milwaukee where they held meetings with local zone and theatre managers.

•

ARTHUR KELLY, JACK GOETZ, HARRY THOMAS, OSCAR DOOB, WILLIAM FITELSON, LEW GOLDER, WILLIAM GERMAN, LOWELL CALVERT, BEN GOETZ, ABE SCHNEIDER, DWIGHT WIMAN and JOSEPH MALCOLM at BOB GOLDSTEIN'S Tavern during lunchtime yesterday.

•

MARILYN SILVERSTONE, eldest daughter of MR. and MRS. MURRAY SILVERSTONE, is recovering from an operation at the Mt. Sinai Hospital.

•

EARL HUDSON, supervisor of United Detroit Theatres, is in New York for a few days on film deals and Paramount home office conferences.

•

STANTON GRIFFIS, SIDNEY PHILLIPS, MRS. HENRY GINSBERG, AUSTIN KEOUGH and SAM SHAIN at Sardi's for lunch yesterday.

•

ALBERT S. HOWSON, director of censorship for Warners, yesterday celebrated his 35th wedding anniversary.

•

ARTHUR GOLDBERG, B. & K. attorney, is in New York from Chicago.

•

BEN WASHER of Donahue & Coe Agency is in Chicago.

•

RICARDO CORTEZ is in New York on vacation.

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Thanksgiving Conflict Offers No Hardships

(*Continued from page 1*)

servances. "Daytime Wife" has been set for Nov. 24 release by 20th Century-Fox as the Thanksgiving picture and it will be available to first-run also in territories observing the Nov. 30 date.

M-G-M will release "Another Thin Man" Nov. 24 and "Remember" Dec. 1 as holiday pictures. Because the major circuits did not complete new season product negotiations until about five weeks after M-G-M began releasing 1939-'40 films, there will be a backlog of "Babes in Arms," "Ninotchka" and "Balalaika" available in some territories for the holiday.

Warners will have three pictures which will play during the holidays. These are "Private Lives of Elizabeth and Essex," to be released Nov. 11, "Dead End Kids on Dress Parade," Nov. 18, and "We Are Not Alone," Nov. 25. Dates may vary in some distribution territories.

Skouras Attending Denver Meet Today

DENVER, Oct. 25.—Spyros Skouras, head of National Theatres, will be here tomorrow to preside at a meeting of district managers, managers of Fox city houses and the managers of Fox houses in a few nearby cities.

Rick Ricketson, division manager, will greet Skouras. The meeting will be held at division headquarters. New product will be analyzed and Skouras will lead a round-table discussion. After the meeting he will be entertained by Ricketson, and Friday morning will fly to Salt Lake City. From there he will go to the Coast.

Named by Cinema Club

CINCINNATI, Oct. 25.—Nat Kaplan, Paramount salesman, has been named chairman of committee on by-laws of the recently organized Cinema Club of Cincinnati, in which membership is limited to film and other industry salesmen. Kaplan will be assisted by Al Kolitz, Harold Rullman and Rudolph Knoepfle.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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Minneapolis Gives 'Maid' Good $8,000

MINNEAPOLIS, Oct. 25.—"The Old Maid" was the best business getter in Minneapolis, drawing $8,000 at the Orpheum.

In St. Paul, "Fifth Avenue Girl" drew $4,200 at the Orpheum.

Estimated takings for the week ending Oct. 19:

Minneapolis:

"U-Boat 29" (Col.)
"Pride of the Blue Grass" (W. B.)
ASTER—(900) (15c-25c) 7 days. Gross: $2,000. (Average, $1,500)
"The Women" (M-G-M)
CENTURY—(1,600) (25c-40c) 7 days, 3rd week. Gross: $4,800. (Average, $4,000)
"Life and Loves of Beethoven" (Foreign)
ESQUIRE—(290) (25c-35c) 7 days. Gross: $1,000. (Average, $700.)
"Espionage Agent" (W. B.)
GOPHER—(990) (25c) 7 days. Gross: $2,500. (Average, $2,500)
"Sabotage" (Rep.)
MINNESOTA—(4,300) (15c-30c) 7 days with stage show headlined by Pat Rooney, Jr. and Herman Timberg Jr. Gross: $6,000. (Average, $6,000)
"The Old Maid" (W. B.)
ORPHEUM — (2,900) (25c-40c) 7 days. Gross: $8,000. (Average, $4,800)
"Honeymoon in Bali" (Para.)
STATE—(2,300) (25c-40c) 7 days. Gross: $6,200. (Average, $4,400)
"They Shall Have Music" (U. A.)
WORLD—(400) (25c-55c) 7 days. Gross: $2,800. (Average, $1,600)

St. Paul:

"Fifth Avenue Girl" (RKO)
ORPHEUM — (2,000) (25c-40c) 7 days. Gross: $4,200. (Average, $3,200)
"Honeymoon in Bali" (Para.)
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $4,400. (Average, $4,400)
"What a Life" (Para.)
RIVIERA—(1,000) (25c) 7 days. Gross: $2,100. (Average, $1,800)
"Nancy Drew and the Hidden Staircase" (W. B.)
"The Escape" (20th-Fox)
TOWER—(1,000) (25c) 7 days. Gross: $1,900. (Average, $1,600)
"Grand Illusion" (Foreign)
WORLD—(400) (25c-55c) 7 days. Gross: 1,000. (Average, $700)

Pittsburgh Variety Fete to Draw 1,000

(*Continued from page* 1)

Carengie Tech., Senators Joseph Guffey, James J. Davis and Rush Holt, and former Gov. Harold Hoffman of New Jersey.

More than 20 vaudeville acts, and a brace of brief talks from notables yet unannounced, also will be part of the program. The 17th floor of the hotel has been made over for the night to resemble a circus, even to the sawdust on the floor, a sideshow, animals and pink lemonade.

One thousand plates, at $10 each, have already been sold.

Expected from New York are Ned E. Depinet, Eddie McEvoy and H. M. Richey, RKO; T. J. Connors and Edward Saunders, M-G-M; George Dembow, National Screen; William Scully, Universal; Gradwell L. Sears, Warners; A. Montague, Columbia.

Ed Kuykendall, president, M. P. T. O. A., and Jules Levy, who will arrive from the coast, also will attend.

Poli Using Vaudeville

MERIDEN, Conn., Oct. 25.—The Poli here has instituted regular weekly vaudeville. The Poli, Waterbury, will have stage shows on Thursdays, and the Globe, Bridgeport, has instituted vaudeville Saturday nights to replace two years of amateur nights. The Loew houses have been organizing shows with local talent heretofore.

Theatre, Personnel Notes

Shift Warner Managers

PITTSBURGH, Oct. 25.—Zone manager Harry Kalmine of Warners has made five theatre personnel changes. Martin Shearn, former manager of the Cameraphone, goes to the Palace, Tarentum, recently acquired by Warners. James Laux, Mt. Oliver manager, is transferred to the Cameraphone, manager Henry Burger of the Brookline goes to the Mt. Oliver, Charles Shannon of the Homewood Belmar moves to the Boulevard, and Jules Green returns to the Warner fold after three months in Hollywood, as manager of the Belmar.

Named Canada Manager

TORONTO, Oct. 25.—Famous players Canadian Corp. has appointed Harry Wilson, assistant manager of the Capitol, Ottawa, as manager of the Regent Theatre at Brockville, Ont.

Building in Alabama

LINDEN, Ala., Oct. 25.—J. E. Williams will build a theatre here to seat 500 people.

Remodel Asheville House

ASHEVILLE, N. C., Oct. 25.—The entrance to the Plaza here is being remodeled at a cost of $7,500 by Publix-Bamford.

Berth Sells Theatre

KIEL, Wis., Oct. 25.—Edwin L. Berth, for the past 25 years operator of the Pastime here, has relinquished the house to Eskin Theatres, Inc. The new operators will remodel the house.

Builds Waterbury House

WATERBURY, Conn., Oct. 25.—Frederick Van Doren, operator of the Hamilton, has broken ground for a new 600-seat neighborhood theatre.

Protest Open Air Theatre

JACKSONVILLE, Fla., Oct. 25.—Protesting that the care of ill children will be seriously interfered with in the new Hope Haven Hospital, now under construction, a group of citizens have asked the Duval County Circuit Court to enjoin the establishment of open air theatre.

Plan Florida House

LAKE WALES, Fla., Oct. 25.—Harold S. Norman and N. W. Remond plan a new theatre here.

Buys Iowa Theatre

STORM LAKE, Ia., Oct. 25.—George Norman, owner of the Vista here, and of theatres in Sac City and Cherokee, has bought the old Rialto in Cherokee from the stockholders, Mrs. W. A. Sanford, E. D. Huxford and Mrs. Nellie McCulia. The house has been closed for some time.

Open Ontario Theatre

TORONTO, Oct. 25. — The Geneva Theatre, seating 800, has opened at Orillia, Ont., as a unit of Associated Theatres, Ltd. G. Garrette, who formerly had charge of theatres in Barrie and Orilia, has been named manager.

CBC Bans Sunday Ford Hour Speech

OTTAWA, Oct. 25.—Radio speeches of W. J. Cameron, who is heard Sundays on the Ford hour, have been banned by the Canadian Broadcasting Corp. C.B.C. has a year-old ruling which prohibits expression of personal opinions on sponsored time.

Officials of CBS and N. W. Ayer, the agency, refused to comment on the ban yesterday. CBS pointed out that Cameron's contract forbids discussion of controversial subjects.

Brady Fights Dismissal

William A. Brady filed notice of appeal yesterday in N. Y. Supreme Court from a dismissal, after trial, of his suit for $250,000 damages and an injunction against Bamberger Broadcasting Service, Inc., Mutual Broadcasting System, Blackett-Sample-Hummert, Inc., and the Charles E. Phillips Chemical Co. Brady claimed the broadcasting program, "Way Down East," infringed upon his alleged rights to a play of that title.

Birthday Cake for Ann

Ten singing telegraph boys and a birthday cake will greet Ann Rutherford, M-G-M player, when she arrives this morning at Pennsylvania station from the Coast. The stunt was arranged by Loew's as a birthday gift from Mickey Rooney, opposite whom she plays in Hardy Family pictures. Miss Rutherford will make personal appearances at Loew theatres here.

Columbia's Studio Manager Resigns

HOLLYWOOD, Oct. 25.—William S. Holman, Columbia studio manager for the past eight years, has settled his contract and leaves the studio Saturday. His post will be filled by the promotion of H. A. McDonell, studio comptroller under Holman for several years. After a vacation, Holman will do some research work for Columbia and possibly one or more of the other studios.

Producers Will Act On Painters' Threat

HOLLYWOOD, Oct. 25. — Producers tomorrow will set a date for the formal meeting at which time the strike ultimatum of Moving Picture Painters Local 644 over its demand for a 15 per cent increase will be discussed. The union has given the producers until Saturday noon to meet the demand upon threat of a strike.

275 Trade Notables Pay Zanuck Tribute

HOLLYWOOD, Oct. 25.—About 275 directors, producers, writers and actors tonight attended a banquet which the Masquers Club gave in honor of Darryl F. Zanuck for his contributions to the industry in general and to the motion picture relief fund in particular. William Collier, Sr., was toastmaster. Edward Earle was in charge of the events.

Short Subject Reviews

"March of Time, No. 3"

(*RKO*)

Timely and significant because the war has developed new problems of husbandry for the American farmer and for the U. S. Department of Agriculture, this subject is excellently executed, with splendid photography being an asset to the film.

The prime point made is that the World War cost American farmers millions because, in an effort to reap a rich harvest in war time, acres were ploughed and planted which should have been left untouched. Pictured clearly is the widespread activity of the Department of Agriculture, which is attempting to prevent the mistakes made 25 years ago. Also shown is the manner in which the Government aids the farmer with the application of scientific progress to his problems. Running time, 18 mins.

"Hunting Hounds"

(*RKO-Pathe*)

An interesting and frequently exciting reel, this "Sportscope" describes the capture of wildcats in the wide open spaces. Dogs are trained to follow the trail of the wildcats and to tree them. Then the hunters come along with short slipknots tied to the end of sticks. The idea is to climb the tree, slip the noose around the cat's neck and leave with both hunter and cat alive. Running time, 9 mins.

"Information, Please, No. 2"

(*RKO-Pathe*)

Gene Tunney, former heavyweight champion, is the guest of the genial experts of "Information, Please." Tunney, of course, receives the brunt of Shakespearean questions and does badly by one and excellently by others. As sprightly and fresh as the radio program. Running time, 10 mins.

"Acres of Plenty"

(*RKO-Pathe*)

This "Reelism" provides a glimpse of a model farm in California with its modern methods of husbandry and provision for farm hands. The migratory farm hand is shown living in ample quarters with provisions for recreational activities. Especially good are the shots of tree grafting operations and irrigation methods. Running time, 9 mins.

"Ice Cutters"

(*RKO-Pathe*)

A fast and diverting "Sportscope" dealing with the game of ice hockey. After a few preliminary explanations of the objectives and rules of the game, the slow motion camera picks up the players and shows the finer points. The reel was taken on the campus of McGill University and it ends with a practice game between the varsity and second team. Should please. Running time, 9 mins.

For Bookers . . . Not Book Readers!



Those of you who go in for literature will know that Lloyd C. Douglas wrote "Magnificent Obsession," "White Banners" and "Green Light". . . three best selling books which were made into three best selling pictures . . . and you'll know that **"Disputed Passage"** is the grandest of all Lloyd C. Douglas' masterpieces . . .

With Frank Borzage directing Dorothy Lamour in a new and exciting role you'll understand why five key cities report Paramount has another smash hit! **Detroit:** Outgrosses "Midnight," "Star Maker," "Honeymoon in Bali" and "Beau Geste." **Indianapolis:** Outgrosses "Honeymoon in Bali." **Louisville:** Hitting new boxoffice highs. **Memphis:** Outgrosses "Star Maker." **New Orleans:** Outgrosses "Star Maker."

"DISPUTED PASSAGE" with **Dorothy Lamour**

Akim Tamiroff • John Howard • Judith Barrett • William Collier, Sr. • Billy Cook

Paramount

'Cavell' Wins Frisco Lead With $17,500

SAN FRANCISCO, Oct. 25.—"Nurse Edith Cavell," with Ted Lewis on the stage, drew $17,500 at the Golden Gate. "U-Boat 29" and "The Man They Couldn't Hang" drew $8,800 at the Orpheum.

Estimated takings for the week ending Oct. 17-20:

"Nurse Edith Cavell" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: Vaudeville. Gross: $17,500. (Average, $15,000)
"U-Boat 29" (Col.)
"The Man They Couldn't Hang" (Col.)
ORPHEUM—(2,440) (15c-35c-40c-55c) 7 days. Gross: $8,800. (Average, $8,000)
"Honeymoon in Bali" (Para.)
"Death of a Champion" (Para.)
ST. FRANCIS—(1,400) (15c-30c-35c-40c) 7 days, 2nd week. Gross: $5,000. (Average, $6,000)
"Hollywood Cavalcade" (20th-Fox)
FOX—(5,000) (15c-30c-35c-40c) 7 days. Gross: $15,500 (Average $16,000)
"The Women"—M-G-M)
PARAMOUNT—(2,740) (15c-30c-35c-40c) 7 days, 3rd week. Gross: $8,500. (Average, $11,500)
"The Real Glory" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days, 3rd week. Gross: $7,500. (Average, $8,000)
"Dust Be My Destiny" (W. B.)
"The Hidden Staircase" (W. B.)
WARFIELD—(2,680) (15c-30c-35c-40c) 7 days. Gross: $11,500. (Average, $12,000)
"Naples, Kiss or Fire" (Paris Films)
CLAY—(400) (15c-35c-40c) 7 days 2nd week. Gross: $850. (Average, $1,000)
"Lenin in 1918" (Mosfilms)
LARKIN—(290) (15c-35c-40c) 7 days. Gross: $650. (Average, $1,000)

'Old Maid' Garners $10,000 in Detroit

DETROIT, Oct. 25.—Average business was experienced by local theatres for the second successive week, with "The Old Maid" and "Torchy Plays With Dynamite" taking $10,000 at the Michigan.

Estimated takings for the week ending Oct. 19:

"U-Boat 29" (Col.)
"Hidden Power" (Col.)
ADAMS—(1,700) (15c-40c) 7 days. Gross: $5,000. (Average, $5,000)
"Stanley and Livingstone" (20th-Fox)
"Hotel for Women" (20th-Fox)
FISHER—(2,800) (15c-40c) 7 days. Gross: $4,400. (Average, $4,500)
"Fifth Avenue Girl" (RKO)
"The Under-Pup" (Univ.)
FOX—(5,000) (25c-55c) 7 days. Gross: $11,000. (Average, $12,000)
"The Old Maid" (W. B.)
"Torchy Plays with Dynamite" (W. B.)
MICHIGAN—(4,000) (15c-65c) 7 days. Gross: $10,000. (Average, $10,000)
"Four Feathers"—(U. A.)
"Flight at Midnight" (Rep.)
PALMS—(3,000) (15c-50c) 7 days. Gross: $5,000. (Average, $5,000)
"Thunder Afloat" (M-G-M)
UNITED ARTISTS—(2,100) (15c-55c) 7 days. Gross: $10,000. (Average, $10,000)

Produce 'My Son' Entirely on Coast

HOLLYWOOD, Oct. 25.—Edward Small will produce "My Son, My Son" entirely in Hollywood, since the British Government has refused permission to film certain scenes from the novel in the actual locale of the story in England.

Large scale photographs of the English scenes described in the Howard Spring book have been obtained. Camera work will begin in a few days on the film, which will be released by United Artists.

Hollywood Review

"Bad Little Angel"

(M-G-M)

HOLLYWOOD, Oct. 25.—This is a plainly and finely filmed story of an orphan who relies upon the Bible for guidance and finds its directions adequate to her need, ultimately adequate also to the needs of her adult associates. The time is about 1880, the place is a small town in New Jersey and the characters are of the sharply typed variety which lived on the stage and in books, possibly in life, at that time. The picture is unique among current offerings, a wholly unsophisticated and wholesomely charming melodrama dealing bluntly in sentimental values and emphasizing Christian virtues.

Virginia Weidler, as the orphan who believes she is a jinx to her successive foster parents, gives an immensely appealing performance. Guy Kibbee, Ian Hunter, Lois Wilson, Henry Hull, Gene Reynolds, Reginald Owen and Elizabeth Patterson handle with complete competency their respective deep-etched characterizations. In each crisis which arises, Miss Weidler prays, opens a Bible and, eyes closed, brings her finger down on a passage of Scripture which indicates the solution of the problem. As in Margaret Turnbull's book, Dorothy Yost's screenplay makes all that happens seem altogether natural and plausible.

Produced by Albert E. Levoy and directed by William Thiele, the picture is in every detail appropriate. Characterization and acting is in the manner of the 1880's, broad and uncomplicated. The effect is thoroughly pleasing.

Running time, 77 minutes. "G"* ROSCOE WILLIAMS.

**"G" denotes general classification.*

Radio Programs

"What's My Name?" a quiz conducted by Arleen Francis and Budd Hulick, will be sponsored by Procter & Gamble for Oxydol beginning Nov. 4. It will be heard Saturdays at 7 P. M. over 33 NBC-Red stations. Blackett-Sample-Hummert of Chicago is the agency. . . . Dave Driscoll has been assigned to the news spot of Mutual's participation program, "Show of the Week," heard Sundays at 6:30 P. M. . . .

Pepsi-Cola will sponsor John Gambling Tuesdays, Thursdays and Saturdays over WOR, beginning Tuesday, at 7:15 A.M. He is sponsored by Bond Stores on other days. . . . Flemex, Inc. and Federal Life & Casualty Co. will each sponsor 10 minutes of Zeke Manners' new show over WNEW, Monday through Friday at 10 P. M. Flemex has also signed a 52-week contract for 24 spot announcements over WHN weekly. . . .

When Cal Tinney starts his new quiz, "Youth vs. Age," Saturday at 8:30 P. M., one of the largest commercial networks, 104 stations of NBC-Blue, will be used. Sloan's liniment is sponsoring. . . . "Dr. Christian" radio plays will be resumed over CBS Wednesdays at 10 P. M., starting Nov. 1. McCann-Erickson is producing the show.

Couple Wed 50 Years

DAYTON, O., Oct. 25.—Mr. and Mrs. Fred Goetz will be "remarried" Oct. 30, in celebration of their 50th wedding anniversary, with the ceremony performed at the same early morning hour as it was originally. Goetz is associated with the Strand here. Couple are the parents of Joe Goetz, RKO division manager in Cincinnati.

Radio Personals

James L. Fly, F.C.C. chairman, at 10 p. m. today, will make his first radio address since his appointment on the "Progress of Communications" over CBS. . . . Milo Anderson, Warner costume designer, was interviewed by George Fischer over Mutual yesterday, on costumes used in "The Roaring 20's". . . . Edwin R. Dibrell, formerly vice-president of R. H. Macy & Co. and Lord & Taylor, has joined N. W. Ayer. . . .

Al Grobe has taken over the 8:15 news spot on WINS. . . . Raymond Gram Swing, Mutual's commentator, has had none of his talks cancelled by B.B.C. Understanding is that the British may cancel his entire speech but may not delete parts of it. . . . William Bond has been added to the WHN announcing staff. He was formerly with WAVE, Louisville. . . .

Kenneth Peters has joined the WSAI Cincinnati announcing staff. Robert Chew, formerly with WING, Dayton, has joined the sales staff of WHKC, Columbus. He succeeds J. Don Davis who goes to WING. . . . Don Phillips, KMOX, St. Louis, announcer and local A.F.R.A. official, is in St. Anthony's hospital with a brain concussion.

Des Moines House Returning to RKO

DES MOINES, Oct. 25.—G. Ralph Branton, business manager of the Tri-States Theatre Corp., has disclosed that the Orpheum here will return to RKO operation after Nov. 2.

The Orpheum has been managed by Tri-States under a joint operating agreement with RKO for the past three years which has been mutually dissolved. Emil Frank will continue as manager.

FCC Will Act On Increased Power Pleas

WASHINGTON, Oct. 25.—The Federal Communications Commission today was asked by T. Frank Smith, Houston, Tex., to grant a construction permit for a new 1,210 kilocycle, 100 watt station in that city.

Applications also were received from Stations WGBR, Goldsboro, N. C., for increase of power from 100 to 250 watts; WRC, Washington, D. C., for increase of night power from 1,000 to 5,000 watts; and WMBR, Jacksonville, Fla.; KFXJ, Grand Junction, Colo., and WNBH, New Bedford, Mass., for increase of night power from 100 to 250 watts.

The commission announced that it had tentatively set for hearing on Nov. 8 the application of the Gazette Co. for a new 1,420-kilocycle, 100-watt station at Cedar Rapids, Ia., and on the same date would hold a hearing in Boston on the application of the Mayflower Broadcasting Corp. for a new 1,410-kilocycle station in that city with 500 watts power night, 1,000 watts day, using the facilities of Station WAAB, Boston.

The commission announced the receipt of an application from Station KXL, Portland, Ore., for increase of night power from 100 to 250 watts.

The commission has announced the receipt of applications for construction permits for new stations from the Arlington Broadcasting Co., Arlington, Va., for a 1,420-kilocycle, 250-watt-transmitter, and the Central Carolina Broadcasting Corp., Burlington, N. C., for a 1,420-kilocycle, 250-watt transmitter.

Applications also were filed by Stations WDAE, Tampa, for increase of night power from 1,000 to 5,000 watts; WMSL, Decatur, Ala., for extension of time from day to unlimited and increase of power from 100 to 250 watts; WIBC, Indianapolis, for change of frequency from 1,050 to 1,130 kilocycles, and WSGN, Birmingham; WGAU, Athens, Ga.; WLLH, Lowell, Mass., and WDAS, Philadelphia, for increase of night power from 100 to 250 watts.

'Life' with $19,300 Is Buffalo Leader

BUFFALO, Oct. 25.—"What a Life," together with Glenn Miller and his orchestra on the stage, brought a healthy $19,300 to the Buffalo. "All Quiet on the Western Front" chalked up $9,400 at the Lafayette.

Estimated takings for the week ending Oct. 21:

"What a Life" (Para.)
BUFFALO—(3,000) (30c-35c-55c) 7 days. Gross: $19,300. (Average, $12,000)
"The Old Maid" (W. B.)
GREAT LAKES—(3,000) (30c-50c) 7 days, second week. Gross: $6,700. (Average, $7,500)
"Espionage Agent" (W. B.)
"Torchy Plays with Dynamite" (W. B.)
HIPPODROME—(2,500) (25c-35c) 7 days. Gross: $5,200. (Average, $6,800)
"Dust Be My Destiny" (W. B.)
"Everything on Ice" (RKO)
TWENTIETH CENTURY—(3,500) (25c-35c) 7 days and preview. Gross: $9,000. (Average, $5,200)
"All Quiet on the Western Front" (Univ.)
"Hawaiian Nights" (Univ.)
LAFAYETTE—(3,300) (25c-35c) 7 days. Gross: $9,400. (Average, $6,300)

Bit Part

San Francisco, Oct. 25.—The carillon bells in the Tower of the Sun, at the exposition here, finally landed a bit part in "The Hunchback of Notre Dame." An RKO sound truck was sent up from Hollywood to record the belfry's entire gamut.

Drums' Premieres To Have Fox Stars

ALBANY, Oct. 25.—Players from the 20th Century-Fox studio will make personal appearances at five simultaneous premieres of "Drums Along the Mohawk" in upper New York State on Nov. 2. Lynn Bari, Joan Davis and Arleen Whelan will appear at the Glove, Gloversville; Rialto, Amsterdam; Proctor's, Schenectady, and Palace, Albany, starting in the afternoon and finishing at Albany in the evening.

Jane Withers, now in the East, will appear at the Olympic in Utica, then board a train for her return to the Coast. Louis Davidson of the home office, is now in Albany preparing for the five-way premiere.

A broad national exploitation campaign is under way on the opening, including a nationwide broadcast on the Kate Smith hour over CBS on Nov. 3. Two pre-release showings are scheduled, starting at the Roxy, New York, Nov. 3, and the New, Baltimore, Nov. 4.

Bureau Resignation Denied by Badgley

OTTAWA, Oct. 25.—Frank Badgley, director of the Canadian Government motion picture bureau, denied reports that he had resigned that post or contemplated doing so. He stated that the appointment of John Grierson as Government film commissioner is without effect on his position.

Badgley also denied reports that his withdrawal might be occasioned by poor health, stating that he is and has been in the best of health.

MONTREAL, Oct. 25.—John Grierson, newly appointed Canadian Government Film Commissioner, stated that reports that his appointment would result in the resignation of Frank Badgley as director of the Government Motion Picture Bureau must have arisen from a misunderstanding of the functions of the two offices.

"The concern of the commissioner," he said, "is the coordination of all Government film activities and in no way affects the position of the director of the bureau, who is the chief of the Government production unit and who will have added responsibilities under the new setup."

Discuss 306 Contract

Negotiations with operators' Local 306 on contract revisions retroactive to last Fall were discussed at a membership meeting of the I.T.O.A. yesterday at the Hotel Astor. No agreement has been reached.

N. J. Allied Meeting

Lee Newbury, president, Allied Theatre Owners of New Jersey, has called an all-day membership meeting for Nov. 9 at the Ritz Hotel, Passaic.

Hollywood Review

"Danger Flight"

(Monogram)

HOLLYWOOD, Oct. 25.—"Danger Flight" bids for the interest of youngsters up to the unsophisticated teen ages. It's full of the stuff that ordinarily excites the imagination of youngsters. As a film industry commercial adjunct it has the same objective as that which impels news dailies to publish cartoon pages.

Its tempo is that of the strip on which it is based, Hal Forrest's "Tailspin Tommy," a subject which has engaged Monogram production attention thrice previously and which screen writers Byron Morgan and Edwin C. Parsons, director Howard Bretherton and the cast strove valiantly to make as real as it is imaginative. It features the four regular cast members, John Trent, Marjorie Reynolds, Milburn Stone and Jason Robards, stars young Tommy Baker and makes Dennis Moore and Julius Tannen the head villains.

Baker, who thinks the fun other kids have in building model planes silly, eventually comes under Trent's good influences and wins a power-driven miniature. Of all Trent's adventures, flying a plane carrying the pay roll through dangerous storms is the most thrilling. It's also one that Baker's brother Moore and plotter Tanner figure is the easiest way in which to grab the loot. They are right. Trent is forced to come down, the crooks get him and the money, but they fail to consider the boy. He gives the signals that bring the sheriff's posse.

Running time, 60 minutes. "G."* G. McC.

**"G" denotes general classification.*

World's Largest Oval Rug Is Laid in Rotunda of Roxy

After considerable tugging, hauling and heaving, a crew of professional movers, aided by 22 Gae Foster girls, yesterday morning succeeded in bringing into the Roxy's rotunda the world's largest oval rug ever to be woven in one piece.

Cameramen and reporters thronged the rotunda and the Foster girls posed for many photographs. The rug, a luxurious chenille with a pile one inch thick, measures 58 feet long and 40 feet wide. Its design is similar to its rotunda predecessor, which is said to have cushioned the steps of some 70,000,000 patrons during 12 years, except that the center motif has been replaced with a microphone bearing four "R's."

Laying of the rug was preceded by a complicated endeavor to remove it from a special trailer which brought it down from the Mohawk Mills at Amsterdam, N. Y. Two trucks were required for this operation. Other vital statistics supplied by Homer H. Harmon, Roxy director of advertising and publicity, included the fact that the rug weighs 7,200 pounds and required six months to complete.

Act to Supply Films To Britain's Troops

LONDON, Oct. 25.—Negotiations are being carried on among the Cinematograph Exhibitors Association, Kinematograph Renters Society (distributors) and the War Office for a new basis for the supply of films to British troops.

The aim is to make effective the pre-war agreement to leave the matter of film entertainment for the army to a trade committee, handling films from all distributors, including American. A similar basis is expected to be worked out with the Naval Film Corp.

Private Benefit

Toronto, Oct. 25.—A special benefit midnight show was held at the Casino here with a large crowd in attendance, for Paul Brandeaux, an employe of the theatre who was badly injured when an airplane in which he was a passenger crashed. Brandeaux suffered many broken bones. All members of the theatre staff donated their services.

Pennsylvania Unit Elects Rosenberg

PITTSBURGH, Oct. 25.—M. A. Rosenberg has been reelected president of the M. P. T. O. of Western Pennsylvania. Edward Beedle has been elected vice-president in place of William L. Brown, while Fred Herrington has been reelected secretary, and Joseph Gellman reelected treasurer.

Reelected as directors have been Dr. C. E. Herman, Israel Roth and William R. Wheat, Jr. New directors are George Corcoran and Charles R Blatt. The organization will prefix "Allied" to its name in the future.

Sam Burger Plans Latin America Tour

Sam Burger, M-G-M home office representative, will leave over the weekend on a Latin-American tour of several months. David Lewis, Argentine manager, is remaining here for conferences.

M-G-M at present has no intention of building or acquiring theatres in the Argentine, Arthur M. Loew, vice-president in charge of foreign operations, said.

Philippine Theatres Suffer Higher Taxes

A sharp increase in exhibitors' taxes in the Philippines is reported by Rafael Rufino, member of a family which operates five theatres in Manila. Rufino is visiting here with his sister, Ester, who is auditor of the company.

The Rufinos operate Luzon Theatres, Inc., including three of Manila's six first runs and three subsequents.

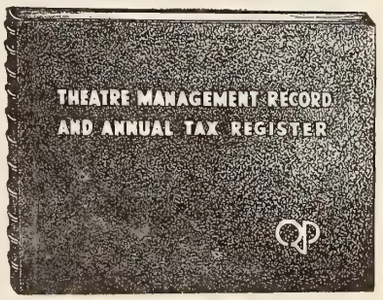
The tax on theatre grosses has been increased to 10 per cent. Formerly it was five per cent. The impost has been boosted on all luxuries in the Philippines, and additionally the theatre license fee has been raised.

While American films are the most popular, native product gets extended runs, the Rufino circuit playing Philippine picture 14 days at times. Six films a year are made in Manila in the Tagalog language, at an average of about $10,000 a picture.

Chinese pictures are second in popularity because of the Chinese population, but the supply is diminishing due to the Sino-Japanese war. No Japanese films are shown. Spanish language pictures are run in one theatre in Manila.

Para. Officers Back

Austin C. Keough, Paramount vice-president, Leonard Goldenson and M. A. Gowthorpe, home office theatre executives, will return to New York today from Beaumont, Texas, where they attended the annual board of directors' meeting of Jefferson Amusement Co., a Paramount affiliate headed by Sol Gordon and J. C. Clemmons.



NEW!

Theatre Bookkeeping System Expressly Devised for the Exhibitor. No Accounting Experience Necessary

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■ **Individual sections for all operating data. Full tax information readily available.**

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Like Old Man River . . . NATIONAL SCREEN TRAILERS just keep rolling along . . . smashing home the strength of your show . . . its highlights . . . its good points . . . to a 100% customer-audience at every performance.

No sir! No guessing as to how many see it . . . no guessing as to how many read it . . . YOU KNOW that everybody your message is aimed at gets an entertaining eyeful and earful of the thing you're selling . . . because they are in your theatre watching your screen.

And here's something extra!

NATIONAL SCREEN TRAILERS are cheaper than any other medium of advertising you can buy! They reach more people . . . sell more seats . . . BEST SELLERS IN THE BUSINESS!

You can go places and do things with Special Announcement Trailers by NATIONAL SCREEN SERVICE

NATIONAL *Screen* SERVICE
PRIZE BABY OF THE INDUSTRY

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 83 NEW YORK, U. S. A., FRIDAY, OCTOBER 27, 1939 TEN CENTS

Better Break In Neutrality Act Visioned

Exemption of Copyright Articles Is Hope

WASHINGTON, Oct. 26.—An amendment to the Neutrality Bill exempting copyrighted articles from the measure's "title change" provisions would provide the most direct method of eliminating the problems with which the measure confronts motion picture exporters, it was pointed out today.

The earlier suggestion that the film industry could comply with the law and export to belligerents by transferring title to its negatives to foreign subsidiaries or affiliates has been discarded by the trade as impracticable.

The primary reason for this is that such foreign subsidiaries or affiliates are subject to emergency tax measures within the belligerent nations and, with greatly increased revenues accruing to these subsidiaries through their title ownership, such taxes would reach prohibitive proportions.

The amendment exempting ordinary, inland commerce with Canada from the "title and carry" restrictions is regarded as second only to an amendment exempting copyrighted articles. The former would make possible the free flow of films to Europe via Canada, but would entail the additional expense of establishing shipping offices and business staffs in Canada as well as the use of slower and less frequent sailings than would be the case if the copyright exemption amendment passed and shippings could be continued from New York.

Mayor Gets Ticket Brokers Bill Pleas

Mayor LaGuardia heard arguments of opposing counsel at the Summer City Hall in Flushing yesterday on the constitutionality of the Spellman bill. The mayor indicated that he had reached a decision on the merits of the bill and wished to hear opinions on the legality of the proposed measure.

The bill, which was passed by the City Council and now requires the mayor's signature, provides that ticket brokers' advances may be limited to 75 cents by stamping a provision to that effect on the ticket.

Congressman Emanuel Celler and Gustave A. Gerber, representing ticket brokers, attacked the bill and indicated that a court test of its legality would be made, if it were signed.

Milton R. Weinberger, attorney for the League of N. Y. Theatres, declared that the bill was valid.

Industry Seeking 8 Revisions in '40 U.S. Revenue Act

An industry committee representing all major companies will recommend eight changes in the Federal Revenue Act of 1940 in the hope of obtaining some relief from corporation taxes which have been found especially burdensome within the industry.

A meeting of the committee is scheduled to be held today to put the recommendations into shape for submission to the Congressional committee which is preparing to draft the 1940 Revenue Act.

Revisions of corporate income taxes, revision of capital gains and losses regulations, allowances of reductions for worthless stocks and bonds and similar additional recommendations will be made. The proposals are being drafted at the invitation of the Congressional committee in charge of the new Act.

Philadelphia Gets 'Essex' Premiere

"Elizabeth and Essex," Warner feature starring Errol Flynn and Bette Davis, will have its world premiere at the Boyd in Philadelphia next Wednesday evening. A special advertising and exploitation campaign will precede the opening.

Following the Philadelphia premiere, the color film will have simultaneous showings in more than 200 spots during the week of its national release, Nov. 11. The national release will have special advance campaigns prepared under the supervision of S. Charles Einfeld, director of advertising and publicity, who is now in New York.

Wisconsin Special Session Is Unlikely

MADISON, Wis., Oct. 26.—Report that Gov. Heil does not wish to call a special session of the legislature has helped ease the uncertainty of possible new tax measures since the adjournment of the regular session Oct. 6.

Before its adjournment, the legislature named an 18-man interim committee to report back at a special session with a revenue program. This committee has not yet met. It is said the governor is planning to eliminate the necessity for additional taxes.

Canada Bans Nazi Films During War

TORONTO, Oct. 26.—Motion pictures made in Germany or shipped from that country since the opening of the war are banned from Canada under penalties provided by the Trade with the Enemy Regulations of the War Measures Act, even when they are to be imported from a neutral country.

The stand is taken that the use of such pictures constitutes trading with an enemy country on the ground that payment for rental provides a form of revenue for Germany, even in a remote and indirect method. The regulations apply to all commodities in which there would be financial advantage for the "opposition."

Seek Whitman Dismissal

Notice was filed yesterday in the U. S. District Court by Walt Disney Productions, Inc., RKO and Technicolor that they will apply on Nov. 10 for an order dismissing the patent infringement suit sought by Vincent I. Whitman. Whitman contends that "Snow White and the Seven Dwarfs" and "Pinocchio" infringe upon a patent obtained by him in 1935 for the production of animated films and asks for damages, an accounting and an injunction.

Flashes From Coast Studios

HOLLYWOOD, Oct. 26.—Producers will meet tomorrow with Herbert Sorrell, business representative of Moving Picture Painters Local 644, which has demanded a 15 per cent wage increase on threat of a strike. Deadline on strike ultimatum is Saturday noon.

Warners announced it has amicably settled differences with Bette Davis and that she will return to the studio to begin work in "The Woman Brown" in several weeks. Other pictures planned for her are "No Time for Comedy," S. N. Behrman play; "All This and Heaven, Too," Rachel Field's novel, and "The Miracle," the last to be done in color.

Twentieth Cetury-Fox announced it would transfer the history of the Salvation Army to the screen in a picture titled "Marching As to War." It has signed Louis Bromfield to write the screenplay. It will be produced on a high budget.

Coast Faces More Grand Jury Probes

Murphy Studies Recent Hollywood Testimony

WASHINGTON, Oct. 26.—Further grand jury proceedings in the various cases which are being pressed in Los Angeles by the Department of Justice will be initiated within a few days, it was disclosed today by Attorney General Frank Murphy.

Murphy explained that the work in Los Angeles is "not finished," although it had been understood that the initial proceedings had been concluded and a transcript of the testimony forwarded to Washington by Charles Carr, special assistant to the attorney general.

No decision has been reached as to the action in any of the cases, the Justice Department chief said, although it is hoped to make a quick determination following the collection of the additional evidence now being sought.

Murphy denied that any offer of settlement has ever been made in income tax cases.

Texas Official Silent Upon Films Inquiry

DALLAS, Oct. 26.—Texas Attorney General Gerald C. Mann declined to divulge today the objectives of the local investigation of the books and records of leading theatre circuits and film exchanges, which has been under way all week.

He stated only that he has 15 investigators working under Assistant Attorney General Walter Koch in Dallas. The investigation is proceeding under a Texas statute which permits the Attorney General to inspect corporation records and correspondence, without a formal complaint being made, in order to determine whether the state anti-trust laws are being violated.

Dismiss Stoneman Case

Suit of David Stoneman against Sam Katz, Felix E. Kahn, Sam Dembow, Jr., Marion Coles, Ralph Kohn and Frederick Metzler, former directors of Paramount-Publix, for $75,000 damages, was dismissed yesterday by N. Y. Supreme Court Justice Louis A. Valente after trial. Stoneman testified during trial that the defendants had given him misleading financial statements of Paramount-Publix and induced him to lease the Empire Theatre in Portland, Me.

Warner Heads Industry Drive To Aid Charity

LOS ANGELES, Oct. 26.—Although the Los Angeles Community Chest Drive does not start until Nov. 8, the Motion Picture Division has designated Harry M. Warner as its chairman.

A new departure in the collecting of chest funds will be the active participation by actor, writer and director Guilds as units in the drive. At a recent meeting attended by all major studio executives, the heads of the three screen guilds and delegates representing each of the three guilds at each motion picture studio, H. M. Warner was unanimously elected to head the drive for the entire industry.

A committee consisting of James Cagney, vice-president of the Screen Actors' Guild, Charles Brackett, president of the Screen Writers' Guild, and J. P. McGowan, vice-president of the Screen Directors' Guild, was appointed to work with Warner throughout the drive.

The organizing meeting held at Warner Bros. studio was attended by H. M. Warner, Y. Frank Freeman, Sam Katz, William Goetz, George Schaefer, B. B. Kahane, Walter Wanger, Cliff Work, Matty Fox, Ralph Morgan, James Cagney, Mischa Auer, Charles Starrett, J. P. McGowan, Garson Kanin, Charles Brackett, Robert Rossen, Milton Sperling Jane Murfin, Jack Natteford, Louis Meltzer, Fred W. Beetson, M. C. Levee, Joseph I. Schnitzer and Edward Selzer, assistant to H. M. Warner in the drive.

Conrac Marketing Counting Device

A new company, Conrac, Inc., has been formed to manufacture and market an electrical device, the Conrac Attendance Register, for the counting of patrons entering a theatre.

L. W. Conrow, president; G. L. Carrington, vice-president, and Harry M. Bessey, secretary-treasurer, also are officers of Altec Service Corp. Altec will install and service the new device, but Conrac, Inc., is a separate concern, and not a subsidiary of Altec.

The board of directors of Conrac include the officers and Fred G. Adams, Louis S. Allen, P. C. Kemp and Gilbert L. Kerr.

By passing through two or more pencil beams of projected light, the patron automatically is counted by means of the Conrac device. It is said the machine will count patrons entering the theatre, but not those leaving, although they use the same door. Offices are located in Newark, N. J.

Para. Report Delayed

Failure of accountants to complete preparation of the third quarter financial report of Paramount Pictures in time for the company's monthly board meeting yesterday will result in a slight delay in the report being made public, company officials said. Only routine business was transacted at the board meeting.

Purely Personal

LEOPOLD FRIEDMAN, general attorney of Loew's, and RUTH MACK were married yesterday in a private ceremony at the Warwick Hotel. They left for a 10-day honeymoon at White Sulphur Springs, W. Va.

•

KEN ANESER, of the Warner home office advertising and publicity department, is passing out cigars to celebrate the birth of a daughter to MRS. ANESER yesterday at the Queen Village Sanatorium. The baby will be named NANCY ANN. She becomes the sister of JOHN ANESER, 3.

•

MRS. ELEK JOHN LUDVIGH, widow of the former general counsel of Paramount, was married on Wednesday in Jersey City to DR. WILLIAM ENGEL, specialist and author of books on diet, and a brother of JOSEPH ENGEL, Hollywood producer.

•

TIM O'TOOLE, New Haven Columbia manager; BEN LOURIE, Columbia salesman, I. LEVINE, Grand National, New Haven, were guests at the Bar Mitzvah party of GERALD ASTOR, son of LOU ASTOR, in Mt. Vernon.

•

RUBE JACKTER and LOU WEINBERG leave tonight for Pittsburgh to attend the Carnegie Tech-Notre Dame game tomorrow and the Variety Club banquet Sunday night.

•

FRANK C. WALKER is in South Bend where his son, THOMAS J. WALKER, underwent an appendicitis operation Wednesday.

•

ED KIRKMEYER, city manager for Fox at Helena, Mont., was married in Denver to NELLIE GRANT.

•

LEO J. GREENWOOD of the Warwick Theatre, Newport News, Va., is visiting here.

•

NEIL MCCARTHY is in town from the Coast.

Para. Club's Dance Tonight Draws 650

About 650 are expected at the Paramount Pep Club dinner-dance tonight at the Astor. Bob Weitman, manager of the Paramount, has arranged for the entire current stage show to entertain the club. Comprising the show are Dick Powell, the Frazee Sisters, the Lane Brothers, Teddy Powell and his band, and Bob Bromley. Harold Stern and his orchestra also have been engaged.

Festivities commence at 6:30 P. M. with a cocktail party. Dinner will be served about 7:30 with dancing thereafter.

Al Stefanic, chairman of the entertainment committee, and William Fass, Robert Powers and Charles Della Lana, members, are in charge of the affair. Joseph Wood is president of the Pep Club.

Columbian Club Dance

Columbian Club, the social organition of Columbia Pictures, will hold a dinner-dance tonight at Ben Riley's Arrowhead Inn, Riverdale. Music for dancing will be furnished by the Irving Conn Orchestra.

MORT SINGER leaves today for Chicago and on Tuesday starts a motor trip to the Coast.

•

FRANK CASSIL of St. Joseph, Mo., president of the Kansas-Missouri Theatres Association, is here with MRS. CASSIL. They attended the MPTOA board meeting at White Sulphur Springs.

•

AUSTIN KEOUGH, EDDIE DOWLING, ARCH SELWYN, ARTHUR LOEW, JACK GOETZ, ARTHUR KRIM, E. J. LOPERT, BRODERICK CRAWFORD and LEWIS GENSLER at Sardi's for lunch yesterday.

•

ED KUYKENDALL, M.P.T.O.A. president, is expected here today from Washington. He will go to Pittsburgh tomorrow for the Variety Club annual dinner.

•

HERMAN FINKELSTEIN, Ascap attorney, and IRVING CAESAR, Ascap board member, are expected back this weekend from Tacoma, Wash.

•

EARL HUDSON of United Detroit Theatres will leave for Detroit today after a few days' visit at the Paramount home office.

•

JOSEPH SEIDER and other executives of Prudential Playhouses held a business luncheon meeting at the Hotel Astor yesterday.

•

VINCENT MCFAUL is in New York from Buffalo for Paramount home office conferences and for film deals.

•

ALEJANDRO DEMPER, co-owner of Selecciones Multicolor, distributors in Venezuela, is vacationing here.

•

NAT SALAND, president of Mercury Film Laboratories, is observing his birthday today.

•

MANUEL FONSECA, circuit operator in Venezuela, is in town from Caracas.

•

M. A. LIGHTMAN of Malco Theatres, Memphis, is a New York visitor.

Pathe News Plans One-Reel War Film

Pathe News is producing a one-reel film on the war with commentary being written by Major George Eliot Fielding, army expert, who will also do the narration.

By means of war pictures and diagrams, Major Fielding will explain strategy on the Western front and what may happen when either the Allies or Germany starts the "big push." Production is under the supervision of Frederic Ullman, Jr., Pathe News producer.

Neil Sullivan, Pathe News cameraman, who went over to cover the war, yesterday arrived in Berlin. He had been in Holland awaiting a German permit.

Toronto House Opens

TORONTO, Oct. 26.—The Pylon, new theatre here owned by Mrs. Joshua Smith and Theodore M. Sterling, was opened formally this evening.

Philadelphia Gives $12,000 To 'Eternally'

PHILADELPHIA Oct. 26.—"Eternally Yours" scored a strong $12,000 at the Aldine. "Babes in Arms," in the second week at the Boyd, was good for $16,000.

Estimated takings for the week ending Oct. 19:

"Eternally Yours" (U. A.)
ALDINE—(1,700) (32c-42c-57c) 7 days Gross: $12,000. (Average, 7 days, $8,000)

"The Women" (M-G-M)
ARCADIA—(600) (32c-42c-57c) 2nd run Gross: $4,300. (Average, 7 days, $2,600)

"Babes in Arms" (M-G-M)
BOYD—(2,400) (32c-42c-57c) 7 days, 2nd week. Gross: $16,000. (Average, 7 days $10,000)

"Fast and Furious" (M-G-M)
EARLE—(2,400) (32c-42c-57c-68c) 6 days (closed Sundays) Stage: Martha Raye and Senor Wences. Gross: $23,500. (Average $16,000)

"Hollywood Cavalcade" (20th-Fox)
FOX—(3,000) (32c-42c-57c) 7 days, 2nd week. Gross: $9,500. (Average, 7 days $13,000)

"The Star Maker" (Para.)
KARLTON—(1,000) (32c-42c-57c) 7 days 2nd run. Gross: $3,800. (Average, 7 days $3,000)

"Intermezzo" (U. A.)
KEITH'S—(2,200) (32c-42c-57c) 7 days 2nd run. Gross: $4,200. (Average, $3,000)

"Thunder Afloat" (M-G-M)
STANLEY—(3,700) (32c-42c-57c) 8 days Gross: $11,000. (Average, 7 days, $14,000)

"Beau Geste" (Para.)
STANTON—(1,700) (26c-42c-42c) 7 days 2nd run. Gross: $4,800. (Average, $4,500)

French Film Opens Today on Broadway

First opening of a French film on Broadway will be held tonight at 8:30 o'clock at the New Central Theatre, formerly the Central, before an invited audience.

The theatre will be the first run outlet here for the Film Alliance of the U. S. Opening attraction is "Port of Shadows" ("Quai des Brumes"), which received the French Academy award and other honors.

'On Dress Parade' Into Strand Today

"Dead End Kids on Dress Parade" opens today at the Strand. "On Your Toes" grossed an estimated $31,000 there. At the Roxy, "20,000 Men a Year" bows today. Second week of "Hollywood Cavalcade" brought an estimated $39,000.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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OU'VE NEVER HAD A BETTER REASON TO ROLL OUT THE RED CARPET! NOVEMBER 11TH IS THE DAY WARNERS WILL DEMONSTRATE HOW STRONG A STRONG ATTRACTION CAN BE, BY PRE-RELEASING BETTE DAVIS AND ERROL FLYNN IN THEIR GREATEST FILM BY FAR, 'THE PRIVATE LIVES OF ELIZABETH AND ESSEX' (IN TECHNICOLOR)! YOU CAN'T COMPARE IT--THERE'S NOTHING BIG ENOUGH TO COMPARE IT WITH!

BETTE DAVIS
and
ERROL FLYNN
in
"The Private Lives of
ELIZABETH and ESSEX"
In Technicolor, with
Olivia de Havilland
DONALD CRISP • VINCENT PRICE
ALAN HALE • HENRY STEPHENSON
Directed by MICHAEL CURTIZ
Screen Play by Norman Reilly Raine & Aeneas MacKenzie • Based on the Stage Play by Maxwell Anderson • Produced by Theatre Guild, Inc.
Music by Erich Wolfgang Korngold
A Warner Bros.—First National Picture

• Theatre and Personnel Changes •

Shift Fort Worth Managers

FORT WORTH, Tex., Oct. 26.—Three Fort Worth theatres have new managers. Marsline K. Moore has taken over the Worth from Frank Weatherford, named city manager of Interstate Theatres succeeding the late P. C. Levy. Charles E. Carden, now at the Majestic, will shift to the Hollywood, and William Farnsworth has become manager of the Majestic.

Three Companies Formed

ALBANY, Oct. 26.—Three new theatre companies formed are Searchlight Theatre, Inc., by Barbara Wilson, Sidney R. Fleisher and M. M. Nicosia, New York; Revels Amusement Corp., New York, by John W. Bonney, Harry Delmar and Elsa Stockfelth, and Lilmac Amusement Corp., New York, by Philip Fliashnick, Max Lerner and Lillian Geldzahler.

Baker Acquires Two

KANSAS CITY, Oct. 26.—The Mainstreet at Oakley, Kan., and the Crystal at Ellis, Kan., have been sold by L. C. Snyder to the Baker Enterprises, operated by A. F. Baker and his son, George Baker. The Crystal will be managed by Roy Sager, and the Mainstreet by Charles Balls.

Plan Cincinnati House

CINCINNATI, Oct. 26.—The newly formed Mt. Lookout Theatre Co. plans a 748-seat suburban house to cost $35,000. Jerome M. Jackson, operator of the suburban Jackson, is secretary of the organization.

Metro Bookers Assigned

CINCINNATI, Oct. 26.—Robert Cummings, of the home office, and William Madden, also of New York, have been assigned to the local M-G-M branch as student bookers.

Reconstruct Tulsa Theatre

TULSA, Okla., Oct. 26.—The Forner Construction Co. has started reconstruction on the Plaza, damaged by fire last month. Cost of the construction is estimated at $23,500.

Plan Clinton Opening

Randforce will open its new Clinton in Brooklyn the latter part of November. The house has 1650 seats.

Lease Carthage, Mo., House

CARTHAGE, Mo., Oct. 26.—The Fox Ozark Theatres Corp. has leased the Tiger Theatre building, owned by G. L. Hooper.

Zeltner Acquires House

Irwin Zeltner is the new operator of the Bobby, Brooklyn. Sally Koch formerly operated the house.

Buys Newark House

Ronson, Newark, has been acquired by the South Orange Amusement Corp. (Arthur Schulman).

Levy Takes Howard

Levoc Theatre Corp., Abe Levy, president, has taken over the Howard, Howard Beach, L. I.

Rename Brooklyn Shubert

Shubert in Brooklyn will be renamed the Century Nov. 1.

Shift Canadian Manager

TORONTO, Oct. 26. — Christopher Holmes, manager of the Avalon, Ottawa, Famous Players Canadian house, has been named manager of the Pylon, independent house here opening shortly under the direction of Ray Lewis. Vernon Hudson, manager of the Toronto Capitol, has been transferred to the Avalon.

Takes Rensselaer House

RENSSELAER, N. Y., Oct. 26.—Roger Marmon, who recently took over the Delmar at Delmar, N. Y., from the Conery Circuit, is now operating the Bright Spot here, formerly owned by Harvey Gardner.

Managing Warner House

PITTSBURGH, Oct. 26.—Warners have appointed Bernard Davis manager of the Victor, McKeesport, Pa., suceeding the late J. A. MacDonald. Davis had been MacDonald's assistant.

Cinema Circuit Building

Plans have been filed for the construction of a 1,000-seat theatre at 12 W. 16 St. by the Cinema Circuit. House is expected to be completed in the Spring of 1940.

Reopen Hastings Theatre

Hastings, Hastings-on-Hudson, has been reopened by Hastings Enterprises, Inc., of which Arthur Hynes is president and William Brown, vice-president.

Form Theatre Company

ALBANY, Oct. 26.—Les Amusement Corp., New York, has been chartered here, with owners listed as Sam Zinner, Morris Goldman and David Suib.

Cherokee Remodeling

CHESTER, S. C., Oct. 26.—Cherokee Theatres, Inc., is remodeling an old building here into a modern theatre at a cost of about $55,000. It will seat 800.

Schines Reopen Two

GLOVERSVILLE, N. Y., Oct. 26.—The Schine Circuit has reopened the Glove after complete renovations, and the Pontiac at Ogdensburg, N. Y.

Sullivan Operating House

Joseph Sullivan is now operating his City, Manhattan. Walter Reade Theatres, Inc., formerly operated the house for the owner.

Theatre Company Formed

ALBANY, Oct. 26. — Yaw Theatre Corp., New York, has been incorporated by R. R. Morse, Loretta Gorman and Sally Jacobs.

Reopen in New Brunswick

Europa, New Brunswick, N. J., has reopened for evenings only.

Rosenberg Takes Theatre

Nutley Theatre Corp. (Moe Rosenberg) is the new operator of the Franklin, Nutley, N. J.

Haring Reopens House

Oscar Haring has reopened the Bridge, Bronx.

Shift Canadian Managers

TORONTO, Oct. 26.—Famous Player Canadian has appointed Arthur Butler as manager of the Capitol, Halifax, under R. S. Roddick, recently transferred from London, Ont. Freeman Skinner, formerly of the Capitol, has been appointed manager of the Halifax Oxford.

Open in Greenwich, O.

GREENWICH, O. ,Oct. 26.—The auditorium of the new City Hall will be opened as a picture house on Hallowe'en. The house has been acquired by J. O. Guthrie, operator of the Karolyn, at New London, near here. Pictures will be shown on Thursdays and Saturdays.

Open California House

SANTA ROSA, Cal., Oct. 26.—The new $250,000 Tower, operated by Intercoast Amusement Co., has opened here with Walter Kofeldt as manager. Officers of the company are Robert Lustig, president; Herman Sims, treasurer, and S. Charles Lee, secretary.

Takes House in Iowa

STORM LAKE, Ia., Oct. 26.—John McLees of Fort Dodge, Ia., is president of the recently organized Lake Theatre Co., which has leased the former Empire. It will be remodeled and renamed the Lake, to seat 546. Frank Schoonover is manager.

Rebuild Tulsa House

TULSA, Okla., Oct 26.—The Former Construction Co. has started to reconstruct the Plaza, damaged by fire last month. The theatre is owned and operated by Southwestern Theatres, Inc.

Reopens in Cincinnati

CINCINNATI, Oct. 26.—J. Ebersole Crawford, suburban exhibitor, will reopen the 400-seat Mayfair near the downtown theatre district, during December for a short season of foreign films.

Lease St. Louis Theatre

ST. LOUIS, Oct. 26.—George Wood, as president of the newly-formed Movie Enterprises, Inc., has leased the Dakota, neighborhood house. Greenman Theatres, Inc., forfeited on the lease.

Saxon Joins Artcraft

P. H. Saxon has resigned from Novelty Scenic Studios to take charge of the theatre modernization department of Artcraft Theatre Equipment Co.

Remodeling Iowa Spot

OSSIAN, Ia., Oct. 26.—Paul Swenson of Monona has bought a building here and is remodeling it for a theatre that he plans to open shortly.

Remodel San Jose House

SAN JOSE, Cal., Oct. 26.—Remodeling of the Hester Theatre, including installation of new seats by National Theatre Supply, has been started.

Opens Arkansas Theatre

MOUNTAIN VIEW, Ark., Oct. 26.—Walter Lee of Batesville has opened the Lee here, seating 247.

Renovate Canadian House

TORONTO, Oct. 26.—David Korman on Monday reopened the Broadway at Haileybury, Ont., which he built in 1924 and which has been closed for the past 11 years. Korman also owns the Palace, Englehart.

Jensen Named Manager

MASON CITY, Ia., Oct. 26.—Central States Theatre Corp., has appointed J. C. Jensen, for the past 10 years assistant cashier of the Northwest Savings Bank here, as assistant to Thomas Arthur, manager of the Cecil, Palace and Strand here.

Kane Gets Jersey City Post

David J. Kane has been appointed manager of the Orpheum, Jersey City, it has been announced by Bernie Brooks, general manager of the Rosenblatt & Welt circuit. The Orpheum will add stage shows shortly.

Marshall Iowa Manager

GRUNDY CENTER, Ia., Oct. 26.—The Pioneer Theatre Corp. has appointed John Marshall of Des Moines as manager of the New Grundy, to replace Arthur Downard who left to manage the circuit's Webster City, Ia., theatres.

Manages Wisconsin House

GARDE CITY, Wis., Oct. 26.—Roy Campbell will manage the Shafer Theatre, which has just opened. The house has been remodeled to seat 725.

Opens in Connecticut

DEEP RIVER, Conn., Oct. 26.—Lee Malcarni has opened the 460-seat Deep River, after complete rebuilding and new equipment.

Close Hudson, N. Y., House

HUDSON, N. Y., Oct. 26.—The Warren, operated by Henry Frieder and Henry Grossman, has been closed for an indefinite period.

Plan Hartford Theatre

HARTFORD, Oct. 26.—Building permit for a 600-seat theatre has been issued to Sisson Realty Co., a Shulman corporation.

St. Marks Reopens

St. Marks, formerly the Polish, has been reopened by the St. Marks Theatre Co., of which Albert Epstein is head.

Open Braintree Theatre

BOSTON, Oct. 26.—The New Braintree, built on the site of the Old Lyric in Braintree, Mass., has been opened.

Remodeling in Indiana

BLOOMFIELD, Ind., Oct. 26.—Myers Flater, owner, has begun a $4,000 remodeling job on the Citadel here.

Sells in Lakota, Ia.

LAKOTA, Ia., Oct. 26.—Cecil H. Anderson has sold the Lakota Theatre here to the Westerland Brothers.

Modernize Iowa Theatre

LE MARS, Ia., Oct. 26. — March Brothers of Wayne, Neb., will modernize the Elite here.

GREATEST OF ALL

IN the fifty years since Eastman supplied the film for the world's first movies, there have been many great Kodak emulsions designed especially for the motion picture industry.... Greatest of all are Eastman Plus-X, Super-XX, and Background-X ... today's ruling favorites in the studio and on location. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work

MOTION PICTURE DAILY'S BOOKING CHART

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Sept. 22	Those High Grey Walls *Walter Connolly Iris Meredith*			$1,000 a Touchdown *Joe E. Brown Martha Raye*	Calling All Marines *Donald Barry Helen Mack*	Fifth Avenue Girl *Ginger Rogers James Ellison* (A) (C)	Stop, Look and Love *Jean Rogers William Frawley*	Intermezzo, a Love Story *Leslie Howard Ingrid Bergman*	The Witness Vanishes *Edmund Lowe Wendy Barrie*	No Place to Go *Fred Stone Gloria Dickson*
Sept. 29		Dancing Coed *Lana Turner Richard Carlson Artie Shaw*	Crashing Thru *James Newill* The Fight for Peace	Honeymoon in Bali *Madeleine Carroll* Range War (O)	The Arizona Kid *Roy Rogers*	Nurse Edith Cavell *Anna Neagle Edna May Oliver* (G) (D)	Here I Am A Stranger *Richard Greene Roland Young*	The Real Glory *Gary Cooper Andrea Leeds*	Rio *Sigrid Gurie Basil Rathbone Robert Cummings*	A Child Is Born *Geraldine Fitzgerald* Espionage Agent *Joel McCrea*
Oct. 6	U-Boat 29 *Conrad Veidt Valerie Hobson*	Fast and Furious *Ann Sothern Franchot Tone*		What a Life *Jackie Cooper Betty Field*	Kansas Terrors *Jacqueline Wells The Three Mesquiteers*	Everything's On Ice *Irene Dare Edgar Kennedy*	The Escape *Kane Richmond Amanda Duff*	Eternally Yours *Loretta Young David Niven*	Hero for a Day *Anita Louise Dick Foran*	Pride of the Blue Grass *Edith Fellows Gantry the Horse*
Oct. 13	Scandal Sheet *Otto Kruger Ona Munson*	Babes in Arms *Mickey Rooney Judy Garland*		Jamaica Inn *Charles Laughton Maureen O'Hara*	Sabotage *Arleen Whelan*	Three Sons *Edward Ellis Virginia Vale*	Road to Glory *Fredric March* Hollywood Cavalcade *Alice Faye Don Ameche*		Tropic Fury *Richard Arlen*	On Your Toes *Zorina*
Oct. 20	Mr. Smith Goes to Washington *Jean Arthur James Stewart*	At the Circus *Marx Brothers*	Mutiny in the Big House Riders of Destiny Sagebrush Trail	Television Spy *William Henry Judith Barrett*			Pack Up Your Troubles *Jane Withers* Shipyard Sally *Gracie Fields Sidney Howard*		Oklahoma Frontier	Smashing the Money Ring *Ronald Reagan Rosella Towne*
Oct. 27	Beware Spooks *Joe E. Brown Mary Carlisle*	Bad Little Angel *Virginia Weidler*	Danger Flight Overland Mail *Jack Randall*	Disputed Passage *Dorothy Lamour Akim Tamiroff*	Jeepers Creepers *Weaver Bros. & Elvıry*	Sued for Libel *Kent Taylor Linda Hayes*	20,000 Men a Year *Randolph Scott* The First World War	Housekeeper's Daughter *Joan Bennett Adolphe Menjou*	Tower of London *Basil Rathbone* Little Accident *Baby Sandy*	The Roaring Twenties *James Cagney Priscilla Lane*
Nov. 3	Blondie Brings Up Baby *Penny Singleton* The Stranger from Texas	Ninotchka *Greta Garbo Melvyn Douglas*	The Phantom Strikes *Sonny Hale* Heroes in Blue *Dick Purcell* Fighting Mad *James Newell*	Law of the Pampas *William Boyd Russell Hayden*	Main Street Lawyer *Edward Ellis Anita Louise*	Flying Deuces *Laurel & Hardy* Marshal of Mesa City *George O'Brien*	Heaven with Barbed Wire Fence *Jean Rogers*		Call a Messenger The Road Back Legion of Lost Flyers *Richard Arlen*	Kid Nightingale *John Payne Jane Wyman*
Nov. 10		Secret of Dr. Kildare *Lew Ayres Lionel Barrymore*		Cat and the Canary *Bob Hope Paulette Goddard*	Washington Cowboy *Gene Autry Mary Carlisle*	Allegheny Uprising *John Wayne Claire Trevor*	Drums Along the Mohawk *Henry Fonda Claudette Colbert*		First Love *Deanna Durbin* One Hour to Live *Doris Nolan*	Private Lives of Elizabeth and Essex *Bette Davis Errol Flynn*
Nov. 17		A Call on the President *Ann Sothern Louis Stone*		Rulers of the Sea *Douglas Fairbanks, Jr.*	The Covered Trailer	Meet Dr. Christian *Jean Hersholt*	Too Busy to Work *Jones Family*		Destry Rides Again *Marlene Dietrich James Stewart*	Dead End Kids on Dress Parade
Nov. 24	The Incredible Mr. Williams *Joan Blondell Melvyn Douglas*	Another Thin Man *William Powell Myrna Loy*	Roll, Wagons, Roll *Tex Ritter*	Our Neighbors, the Carters *Frank Craven Fay Bainter*		That's Right, You're Wrong *Kay Kyser Adolph Menjou*	Day-Time Wife *Tyrone Power Linda Darnell*		Invisible Man Returns *Sir Cedric Hardwicke Nan Grey*	We Are Not Alone *Paul Muni Jane Bryan Flora Robson*

Paramount Pictures

Book these PARAMOUNT SHORTS when you book your features!

OCTOBER 13 Cinecolor UNUSUAL OCCUPATIONS #1

OCTOBER 20 Paragraphic BUSY LITTLE BEARS

OCTOBER 27 Headliner—in Cinecolor MOMENTS OF CHARM OF 1940 Phil Spitalny and Girl Orchestra

OCTOBER 27 Symphonic Series MERRY WIVES OF WINDSOR

100% BOX OFFICE tested

Newsreel Parade

Clips on the war situation, again featured, come mostly from France. The reels and their contents follow:

MOVIETONE NEWS, NO. 14—French Navy at sea. British troops and Royal Air Force arrive in France. Duke of Windsor confers with French general. President LeBrun on Western Front. Fortifications on French Alps. Fashions. Lew Lehr. Moth boat regatta at South Carolina. Lumberjacks heave axes. Timber toppers in preparation for coming show.

NEWS OF THE DAY, NO. 212.—France displays sea might. Royal Air Force bases in France. Holland depends on dikes. Situation on the Siegfried Line. N. Y. U. vs. Carnegie Tech football. Equestrians prepare for show.

PARAMOUNT NEWS, NO. 17—Mrs. Roosevelt at Girl Scout convention. Earl Browder indicted on passport charge. Endurance fliers seek record. French soldiers work on farms. Wash line on Siegfried Line. Royal Air Force on British front. French dogs in training. French regiments in the Alps. French medal factories busy, while U. S. medals are in pawn. Giants vs. Bears football game.

RKO PATHE NEWS, No. 29—British forces join French at front. Siegfried Line extended to Luxemberg River. Maginot Line moved to Mediterranean. Bolster morale in France. Highest roadway completed in Colorado. Fashions. Girl football game.

UNIVERSAL NEWSREEL, NO. 818—British flying units prepare for raids. Map makers stumped. New shock absorber devised. Salmon swarm Washington creeks. Set endurance flight record. Horsemen train for show. Ax throwing contest. Girls play football.

Fete at Pittsburgh For RKO Premiere

PITTSBURGH, Oct. 26.—This city will be the scene of a typical Hollywood premiere on Nov. 3, when RKO's "Allegheny Uprising" opens at Loew's Penn. The opening will climax the 100th anniversary celebration of the incorporation of the city of Allegheny.

Claire Trevor, co-star of the film, will attend from Hollywood, and Mayor Cornelius D. Scully of Pittsburgh will be present, as well as members of the City Council, civic leaders and RKO executives. A parade, featuring ox-carts, covered wagons, 10 bands and frontier period floats will precede the film's opening. A nationwide NBC-Blue broadcast will be heard from the stage of the Penn.

P. J. Wolfson, producer of "Allegheny Uprising," who is vacationing in New York, will attend the premiere. He plans to visit Quebec before returning to the Coast.

Broadcasting Shift For New York City

WASHINGTON, Oct. 26.—The Federal Communications Commission today announced a three-way shift of broadcasting stations under which the Greater New York Broadcasting Company will operate an 1,100-kilocycle, 5,000-watt station in New York.

Stations WPG, Atlantic City, now operating on that frequency and power, will cease operations Nov. 1, as will also WOV, New York, now operating on 1,130 kilocycles with 1,000 watts power.

The new station is controlled by Arde Bulova, watch manufacturer, who is also the licensee of stations WOV and WBIL, and has purchased the facilities of WPG.

It's 'Oomph' vs. 'Libido', Or Sheridan vs. Zorina

HOLLYWOOD, Oct. 26.—Warners' publicity department has turned out reams of copy concerning the "oomph" of ANN SHERIDAN, but this week S. CHARLES EINFELD's men came out with a brand new designation of what in another word might be just plain "appeal."

It is "the libido factor," outstandingly possessed by one ZORINA, who, the studio hastens to mention, is currently in Warners' "On Your Toes." Authority for the declaration is no less than the psychology club of the University of Southern California.

EINFELD's men hastened to inform all Hollywood correspondents of the discovery that, after an analysis of the appeal of 100 outstanding feminine personalities, the club selected ZORINA "as having the most factors that make the fullest appeal to what the late SIGMUND FREUD termed the libido."

Included in the announcement was a quotation from LEROY STRINE, club president, who said:

"ZORINA combines the most appealing physical and spiritual qualities possessed by woman. She finds favor with the men who prefer the gentle, clinging, feminine type of beauty, as well as those who want an earthy sex appeal without any veneer. Our research was confined mainly to actresses, as they are most expressive of the public's demands. JOAN CRAWFORD, HEDY LAMARR and ANN SHERIDAN have tremendous physical appeal but are found lacking in the more subtle qualities of the libido, such as symmetry of emotion and harmony of movement."

If ZORINA and MISS SHERIDAN are teamed in a picture, theatre ads might read as follows:

"See ANN SHERIDAN, the Oomph girl, and ZORINA, the libido factor."

M-G-M is drafting a remake of "Romance," made with GRETA GARBO about six years ago, for an ILONA MASSEY vehicle. MISS MASSEY's first picture was "Balalaika."

Accompanied by HOWARD STRICKLING, SPENCER TRACY left this week for Detroit and East Orange to gather information from relatives, and friends of the late THOMAS A. EDISON, whom he will portray in M-G-M's "Edison the Man."

WERNER JANSSEN, resigned as conductor of the Baltimore Symphony Orchestra, is under contract to WALTER WANGER and is writing original music scores for "City for Sale" and "House Across the Bay."

LOUISE STANLEY will play the lead opposite JAMES NEWILL in Monogram's "Yukon Flight." . . . HENRY KRUSE, formerly sales manager for Cinecolor, has joined Cinematone Corp. as general manager of their studio, and will be in charge of all film production. . . . VAUGHAN GLASER has been called back from New York for a role in "At Good Old Siwash," Paramount. WILLIAM HOLDEN has the lead.

LLOYD BACON will direct Warner's "And It All Came True," with GEORGE RAFT, ANN SHERIDAN and JOHN GARFIELD heading the cast of the picturization of the LOUIS BROMFIELD novel. . . . ROCHESTER makes his film singing debut in Paramount's "Buck Benny Rides Again." . . . Marriage of VIRGINIA WARREN, private secretary to DARRYL F. ZANUCK, and RICHARD DIGGS, JR., former assistant story editor at 20th Century-Fox, was revealed this week. The couple eloped to Yuma Sept. 9.

Republic starts "South of the Border" this week as a vehicle for GENE AUTRY and SMILEY BURNETTE, both of whom recently returned from personal appearance tours. . . . BEN JUDELL, of Producers Pictures Corp., says his forthcoming picture, "Gold Star Mothers," will be a depiction of "an aroused national motherhood organized to keep its sons on this side of the Atlantic and standing shoulder to shoulder against the propagandists of both sides which are threatening American democracy." SHERMAN SCOTT, who directed "Hitler—Beast of Berlin, will direct, and tie-ups with patriotic and veterans' organizations are being arranged.

MAL ST. CLAIR will direct the next Jones Family picture, "Young As You Feel," which will have JUNE LANG in addition to the regular cast. . . . Warners has purchased a one-reel short, "American Saddlehorses," produced by DEL FRAZIER and narrated by JOHN DEERING. It was filmed in color at Mt. Whitney. FRAZIER previously made "Points on Pointers," which Warners also bought. . . . GORDON DOUGLAS is collaborating on the story for the next LAUREL and HARDY feature for HAL ROACH with STAN LAUREL and a staff of writers. DOUGLAS will direct it.

JAMES SEAY, stage actor recently placed under contract by Paramount, has been "discovered" by CECIL B. DEMILLE and, after having his name changed to MICHAEL RAND, will be tested for a role in "Northwest Mounted Police." He first will appear in Paramount's "Opened by Mistake." . . . JUDITH BARRETT gets the feminine lead in "At Good Old Siwash," Paramount.

Theatre Firm Chartered

ALBANY, Oct. 26.—Delmonico Movienews Theatre, Inc., has been chartered here with capital stock listed at $20,000. Directors are listed as Hyman J. Davis, Olga Davis and John A. Wells. Subscribers are John D. Leggett, Jr., Bertram H. Lebeis and Charles F. Young.

N.A.B. Meets Nov. 2

Directors of the National Association of Broadcasters will meet in Chicago Nov. 2, at which time further plans for organization of the broadcasters' own music bureau are scheduled to be discussed.

Start Sunday Vaudeville

TERRYVILLE, Conn., Oct. 26.—Joseph Faith is planning to resume the Sunday vaudeville policy at the Mayfair, inaugurated two years ago, but omitted last year.

UA Chiefs Planning Big Advance Drives

HOLLYWOOD, Oct. 26.—The most intensive advance exploitation campaign in the history of United Artists is being planned here currently by United Artists producers and publicity directors, with Monroe Greenthal, director of exploitation, here on a visit from the home office.

Greenthal is viewing rushes of pictures in work and rough cuts of finished features, as well as engaging in daily conferences with various publicity directors. Under discussion are sales promotion ideas.

Greenthal, whose stay here is indefinite, said campaigns for pictures in various stages of production also are being mapped. He declared material for the entire year's campaign is being prepared now.

W. B. Moves District Office to Wilmington

WILMINGTON, Del., Oct. 26.—Wilmington has been selected as central headquarters for largest theatre district in the entire Philadelphia territory of Warner Bros. theatres organization, A. J. Vanni, head of the new Wilmington district, announced today.

The district will supervise and supply 24 theatres in Delaware and Pennsylvania, including the company's theatres in Wilmington, Camden, N. J., Chester, York, Lancaster, Hanover, Gettysburg, and Red Lion, Pa.

Appointment of city managers of theatres in key cities of the new district also has been announced by Vanni. Lewis S. Black, manager of the Warner theatre here, has been appointed city manager for Wilmington.

Purpose of moving the office from Philadelphia is to centralize supervision of theatres, Vanni said.

Vanni also announced that Jack Mulhall, his assistant, has been named head of the new Westchester, Pa., district comprising 12 Warner theatres.

Warner Hallowe'en Party to Draw 500

The annual Hallowe'en and masquerade party of the New York Warner Club will take place at the home office tonight with more than 500 Warner Club members expected to attend. Members from the home office, music companies, warehouse and Brooklyn studio will compose the gathering.

Numerous prizes will be awarded for pie-eating, dancing, costumes, etc. Entertainment will be provided by Harry Mayer, chairman of the entertainment committee.

The committee for the party consists of Harry Mayer, Joseph Tisman, in charge of decorations; Nat Fellman, president of the Warner Club; R. Salomons, Bernard Goodman, Harold Rodner, Elkan Reiner and Miss E. Phillips.

Set New French Film

A French film, "That They May Live," a commendation of war directed by Abel Gance, will open at the Filmarte following the run of "The End of a Day." Arthur Mayer and Joseph Burstyn are distributing the new film in this country.

FCC Will Act On Increased Power Pleas

WASHINGTON, Oct. 26.—Applications for increase of night power from 1,000 to 5,000 watts were filed with the Federal Communications Commission today by Stations WXYZ, Detroit, Mich., and KGKO, Fort Worth, Tex.

Other applications included requests of WTEL, Philadelphia, Pa., for increase of power from 100 to 250 watts, and the Cascade Broadcasting Co., Inc., seeking a new station at Everett, Wash., for a frequency of 1,430 kilocycles and power of 500 watts, in lieu of the 1,426 kilocycles and 100-250 watts originally asked.

Hearings tentatively set for future dates included the applications of WJBW, New Orleans, La., for extension of time from specified hours to unlimited, for hearing Nov. 27, and WHDE, Boston, for extension of time from day to unlimited and increase of power from 1,000 to 5,000 watts, for Dec. 11.

Hearings, on dates to be set later, were ordered on the applications of William F. Huffman for a 1,310-kilocycle station at Wisconsin Rapids, Wis., with 100 watts power night, 250 watts day; Joe W. Engel for a 1,370-kilocycle, 250-watt station at Chattanooga, Tenn.; Lookout Mountain Co. of Georgia for a 1,370-kilocycle station at Lookout Mountain, Ga., with 100 watts night, 250 watts day, and Valley Broadcasting Co. for a 1,310-kilocycle, 250-watt station at West Point, Ga.

Applications also were filed by WSVA, Harrisonburg, Va., for increase of power from 500 to 1,000 watts; KARK, Little Rock, Ark, for increase of power from 1,000 to 5,000 watts; KLRA, Little Rock, Ark., for increase of night power from 1,000 to 5,000 watts.

Canada Places CBC Under War Censors

MONTREAL, Oct. 26.—Censorship regulation and other war-time restrictions have been imposed upon the Canadian Broadcasting Corp. as a result of war conditions.

This announcement was made by L. W. Brockington, chairman of the BBC governors' board, following a meeting with Transport Minister Howe.

CBC governors will continue in control of broadcasting developments and radio policy, however, Brockington said.

Ask Assessment Cuts

Warners yesterday filed a writ of certiorari in the N. Y. Supreme Court in which a reduction of assessments of $1,260,500 on two theatres and a warehouse was sought. In response to the petition Justice Julius Miller ordered the Tax Commission of New York City to defend the assessments on Dec. 4. Petitioners claim an assessment of $750,000 on the Warner Theatre should be reduced to $400,000, one of $1,150,000 on the Hollywood Theatre to $600,000 and one of $1,026,500 on a warehouse at 617 W. 54th St. to $666,000.

Radio Personals

Major Bowes yesterday disclosed that he had turned over his 10-acre estate in Westchester to the Lutheran Church for use as a retreat for clergy and laity of New York and neighboring states. In addition, he has made a contribution for equipment and alterations.

Warren Sweeney, formerly with WJSV, Washington, as an announcer will join the CBS New York staff next week. . . . Martha Purcell, soprano, and Edna Demaree, pianist, have cancelled their programs over WICC, Bridgeport, until after the elections are over. . . . Nelson A. Rockefeller, president of the Museum of Modern Art, and Ernest Fiene, American painter, will be heard on the premiere program of "What's Art to Me?" over CBS, Saturday at 6:30 P. M. . . .

Jeanette MacDonald, Nelson Eddy and Fred MacMurray will be heard over NBC-Red at 9 P. M. Saturday on behalf of the 1939 Community Mobilization for Human Needs drive. . . . Kate McComb, actress in the NBC-Red sketch, "The O'Neills," has been signed for a legitimate play, "Morning's at Seven," which opens in Boston Nov. 6.

Radio Programs

Hugh Gibson, former ambassador to Belgium and several other nations, who was heard in August as commentator on European affairs, will round out a triumvirate of commentators for NBC-Red. He will be heard in the series with John Gunther and Baukhage. Gibson will broadcast Tuesdays and Saturdays, Gunther on Mondays and Thursdays and Baukhage on Sundays, Wednesdays and Fridays. Program is heard at 8 P. M. over the Red daily except Sundays when the schedule shifts to 3:30 P. M. for the Red and 7:15 P. M. for the Blue. . . .

"Young America" starts Sunday over WMCA at 11:30 A M. It is a weekly variety program for children. . . . CBS "Vox Pop" program (Thursdays 7:30 P. M.) celebrates its eighth birthday Nov. 2. . . . Institute of Visual Education will present 26 transcribed Americanism programs over WEVD, called "Lest We Forget" Starting Tuesday, Oct. 31, it will be heard weekly at 9:15 P. M.

'U' Officials on Tour

W. A. Scully, Universal general sales manager; F. J. A. McCarthy, Eastern sales manager, and W. J. Heineman, Western sales manager, left New York yesterday on a second tour of the company's exchanges. Scully and McCarthy, covering the East, are due back in a week. Heineman, heading for the Far West, will be away longer.

Exchange Union Party

NEW HAVEN, Oct. 26.—Local B-41 of the exchange employes union is planning a Thanksgiving Dance with vaudeville entertainment.

Milady's Corsage

At long last an exploitation device that really makes sense.

Husbands et al returning last evening to their domiciles blushingly were confronted with a handsome corsage bouquet received by milady which was accompanied with a card inscribed, "Eternally Yours."

All of which, in other words, means that Walter Wanger's "Eternally Yours," starring Loretta Young and David Niven, is what's got the boys around the United Artists office busy.

'Cavalcade' $7,500 Milwaukee Leader

MILWAUKEE, Oct. 26.—"Hollywood Cavalcade" and "Charlie Chan at Treasure Island" drew $7,500 at Fox's Wisconsin.

Estimated takings for the week ending Oct. 18-19:

"Fifth Avenue Girl" (RKO)
"Hell's Kitchen" (W. B.)
WARNER—(2,400) (25c-35c-50c) 7 days. Gross: $5,000. (Average, $4,500)
"Jamaica Inn" (Para.)
"What a Life" (Para.)
PALACE—(2,400) (25c-35c-50c) 7 days. Gross: $5,200. (Average, $4,000)
"The Witness Vanishes" (Univ.)
RIVERSIDE—(2,700) (25c-30c-35c) 7 days. Stage: Major Bowes Revue. Gross: $8,000. (Average, $6,500)
"The Women" (M-G-M)
"Road to Glory" (20th-Fox)
STRAND—(1,400) (25c-35c-50c) 7 days. Gross: $1,400. (Average, $1,500)
"Holiywood Cavalcade" (20th-Fox)
"Charlie Chan at Treasure Island" (20th-Fox)
WISCONSIN—(3,200) (25c-35c-50c) 7 days. Gross: $7,500. (Average, $5,500)

'Real Glory' Gives Cleveland $11,500

CLEVELAND, Oct. 26.—"The Real Glory" was best here, grossing $11,500 at Loew's State. "Hollywood Cavalcade" took $10,000 at Warner's Hippodrome.

Estimated takings for the week ending Oct. 19:

"Fifth Avenue Girl" (RKO)
ALLEN—(3,000) (30c-35c-42c) 7 days 2nd week. Gross: $3,500. (Average, $4,000)
"Hollywood Cavalcade" (20th-Fox)
WARNER'S HIPPODROME — (3,800) (30c-35c-42c) 7 days. Gross: $10,000. (Average, $11,000)
"Espionage Agent" (W. B.)
RKO PALACE—(3,100) (30c-42c-55c) 7 days. Stage show. Gross: $11,000. (Average, $14,000)
"The Real Glory" (U. A.)
LOEW'S STATE—(3,500) (30c-35c-42c) 7 days. Gross: $11,500. (Average, $11,000)
"Winter Carnival" (U. A.)
LOEW'S STILLMAN—(1,900) (30c-35c-42c) 7 days. Gross: $3,000. (Average, $4,000)

Managing Board Of Pa. Unit Meets

PHILADELPHIA, Oct. 26.—The board of managers of the United M.P.T.O. of Eastern Pennsylvania, southern New Jersey and Delaware held a luncheon meeting at the Bellevue-Stratford Hotel here today.

Discussion centered about the topic, "This Season's Sales Policies and Prices as Compared to Those in Other Territories." Lewen Pizor, president, reported on the meeting of the M.P.T.O.A. board of directors at White Sulphur Springs, W. Va., this week, which he attended.

Los Angeles Gives $14,400 To 'U-Boat 29'

LOS ANGELES, Oct. 26.—"U-Boat 29" and "Rio" scored the best comparative grosses here, with $7,500 at the Hillstreet and $6,900 at the Pantages, for a total of $14,400. "Hollywood Cavalcade," in the third week at the 4 Star, took $6,000.

Estimated takings for the week ending Oct. 25:

"Blackmail" (M-G-M)
"Fast and Furious" (M-G-M)
CHINESE—(2,500) (30c-$1.00) 7 days. Gross: $8,900. (Average, $12,500)
"Hollywood Cavalcade" (20th-Fox)
4 STAR—(900) (40c-50c) 7 days, 3rd week. Gross: $6,000. (Average, $3,250)
"U-Boat 29" (Col.)
"Rio" (Univ.)
HILLSTREET—(2,700) (30c-65c) 7 days. Gross: $7,500. (Average, $6,500)
"Blackmail" (M-G-M)
"Fast and Furious" (M-G-M)
LOEW'S STATE—(2,500) (30c-$1.00) 7 days. Gross: $12,000. (Average, $14,000)
"U-Boat 29" (Col.)
"Rio" (Univ.)
PANTAGES—(3,000) (30c-65c) 7 days. Gross: $6,900. (Average, $7,000)
"Honeymoon in Bali" (Para.)
PARAMOUNT—(3,595) (30c-65c) 7 days, 2nd week. Stage: Harry Owens and his Royal Hawaiian Orchestra, F. & M. revue. Gross: $14,000. (Average, $18,000)
"The Real Glory" (U. A.)
"Indianapolis Speedway" (W. B.)
WARNER BROS. (Hollywood)—(3,000) (30c-65c) 7 days, 2nd week. Gross: $9,800. (Average, $14,000)
"The Real Glory" (U. A.)
"Indianapolis Speedway" (W. B.)
WARNER BROS. (Downtown)—(3,400) (30c-65c) 7 days, 2nd week. Gross: $11,000. (Average, $12,000)

'Cavalcade' $4,100 In Oklahoma City

OKLAHOMA CITY, Oct. 26.—"Hollywood Cavalcade" led first runs here with $4,100 at the Midwest, as hot weather continued.

Estimated takings for the week ending Oct. 19:

"Beau Geste" (Para.)
CRITERION—(1,500) (25c-35c-40c) 7 days. Gross: $4,000. (Average, $4,500)
$1,000 a Touchdown" (Para.)
"Death of a Champion" (Para.)
LIBERTY—(1,200) (15c-20c-25c) 7 days. Gross: $2,900. (Average, $2,400)
"Hollywood Cavalcade" (20th-Fox)
MIDWEST—(1,500) (25c-35c-40c) 7 days. Gross: $4,100. (Average, $3,250)
"Dust Be My Destiny" (W. B.) 4 days
"Fast and Furious" (M-G-M) 3 days
PLAZA—(750) (25c-35c-40c) 7 days. Gross: $900. (Average, $1,100)
"Winter Carnival" (U. A.)
"Scandal Sheet" (Col.)
STATE—(1,100) (15c-20c-25c) 7 days. Gross: $2,400. (Average, $2,250)
"The Women" (M-G-M)
Tower—(1,000) (25c-35c-40c) 7 days, 2nd week, Criterion. Gross: $2,100. (Average, $1,750)

Para. Buys Air Story

HOLLYWOOD, Oct. 26.—Paramount has purchased "I Wanted Wings," story of peace time aviation by Lieut. Bierne Lay, Jr., who has arrived on the Coast to work on the screenplay with Commander Frank Wead. Arthur Hornblow, Jr., will produce. Much of the shooting will be at Randolph Field, Texas.

G. T. E. Net $154,347

General Theatres Equipment Corp. and subsidiaries, excluding Cinema Building Corp., J. M. Wall Machine Co. and Zephyr Shaver Corp., have reported consolidated net profit for the September quarter of $154,347, compared with $218,524 last year.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 84 NEW YORK, U. S. A., MONDAY, OCTOBER 30, 1939 TEN CENTS

Film Shipping Exempt Under Neutrality Act

Transfer of Title Clause Makes Exception

WASHINGTON, Oct. 29.—Exemption of motion pictures from the "cash-and-carry" provisions of the neutrality legislation, passed Friday by the Senate, appears definitely certain.

The Senate, without a formal vote, approved an amendment offered by Senator Johnson of California, who proposed that motion pictures be allowed exemption from the "cash-and-carry" clauses which will require the transfer of title in this country to a foreign buyer of all goods to be shipped to belligerent nations.

Senator Johnson explained, in offering his amendment, that it would be impossible for the film industry to preserve its foreign business under the title transfer provisions which are applicable to other merchandise.

Reaction to 'Smith' Called Exaggerated

Reports of unfavorable Senatorial reaction to "Mr. Smith Goes to Washington" have been greatly exaggerated, Ed Kuykendall, M.P.T.O.A. president, said while here over the weekend following a Washington visit.

"I discussed the picture with a representative number of Senators and found no evidence of anger or rancor," Kuykendall said. "There was not the slightest basis for an assumption that any Senator's feelings were so injured by the picture that he harbored thoughts of retaliating against the industry by supporting the Neely Bill or any other anti-industry legislation."

Alice Brady Dies; Stage, Screen Star

Private funeral services will be held today for Alice Brady, 47, stage and screen star, who died here late Saturday night. Burial will be at Tarrytown, N. Y. Her father is William A. Brady, the actor-manager. One of her greatest film triumphs came last year in "In Old Chicago."

Levy at Mayo Clinic

Jules Levy, former general sales manager of RKO, is at the Mayo Clinic, Rochester, Minn., for a general physical checkup. He is expected to remain there two or three weeks.

N. Y. Allied Board Backs Cohen, Gets Financial Report

Board of directors of Allied Theatre Owners of New York, at a special meeting here Friday, decided to continue the organization in its present status without affiliation with National Allied.

The board recommended that a vote of confidence be given to Max A. Cohen, president, and other officers of the organization "for the work accomplished and efforts exerted in behalf of New York Allied."

The resignation of E. Thornton Kelly as executive secretary was unanimously accepted by the board. Kelly has been at odds with Cohen and was a leader in the unsuccessful movement to depose Cohen and have the state unit affiliate with National Allied.

A statement issued after the meeting, held in the organization's headquarters in the New Amsterdam Theatre Building, said that a certified public accountant's report was read and ratified "as setting forth the true position of the finances of New York Allied." The opposition faction had demanded a financial report.

Details of the report were not

(Continued on page 2)

Williams in Parley On N. Y. Trust Suit

Special Assistant Attorney General Paul Williams, in charge of the government's anti-trust suit against the majors, will confer today with attorneys for the majors, representatives of the local office of the U. S. Attorney's office stated Friday. Williams will discuss the question of the government's interrogatories directed to the majors and the cross-interrogatories filed by United Artists.

G. N. Receiver Order Is Killed

Federal Judge Samuel Mandelbaum dismissed the petition in bankruptcy filed against Grand National Pictures, Inc., by three of its creditors and vacated his previous order appointing a receiver for the company, after a hearing Friday.

The dismissal, granted from the bench, was made after Judge Mandelbaum ruled that the petition was insufficient, vague and indefinite in its charges against the company. In addition the court stated that proceedings and the appointment of a receiver were "unnecessary" in view of the loan of $450,000 granted to Grand National a few days ago by the RFC.

Before handing down his decision, Judge Mandelbaum went to some length in rebuking officers of Grand National for failing to move for a dismissal at an earlier date. A large-going concern, he said, should not wait three full days after a petition had been filed before seeking to dis-

(Continued on page 7)

More Concessions Kuykendall's Hope

Ed Kuykendall, M.P.T.O.A president, believes that all major distributors eventually will make some trade practice concessions.

In New York for the weekend, Kuykendall said he would not visit home office sales executives at this time to press further for trade practice concessions along the lines defined at the M.P.T.O.A. national board meeting at White Sulphur Springs last week, because he does not believe that to be necessary .

He indicated, however, that discussions with distribution companies

(Continued on page 4)

Full Length Plays Holding Biggest Television Appeal

Full length plays are overwhelmingly favored by television audiences, first results of NBC's mail ballot revealed over the weekend.

Although full tabulations were not revealed, NBC disclosed that the pretentious studio programs were first by a wide margin. Programs picked up by the mobile unit were second, films third, and smaller studio programs last.

Results were based on one week's programs, from Oct. 8 to 14, and are not regarded as conclusive. It was pointed out that popularity may vary from week to week in accordance with the programs telecast. There were no feature films sent out during the test week.

NBC broadcast an announcement offering to send weekly programs free. Of the estimated 750 set owners, 394 requested these programs. In sending the programs, a ballot was attached. Of the 394 who received

(Continued on page 7)

Drama Guild Bares Terms Of New Pact

Manager Given 15 Weeks To Set Road Show

Film companies and members of the Dramatic Guild today will get the full text of the minimum basic agreement for the licensing of motion picture rights to picture companies backing plays.

The proposed agreement contains the modifications which have been discussed off and on for more than a year.

This pact becomes effective as soon as members of the guild, play producers and managers formally vote approval. The agreement will run for one year, a sort of trial period, until Dec. 31, 1940.

Individual Contracts Necessary

Principal conditions of the agreement are:

Individual contracts with the playwright must be made. If no individual contract is made, the old agreement prevails. Where the manager is a corporation or partnership, an individual manager must be designated with full responsibility. Persons em-

(Continued on page 7)

N. Y. Critics Refuse Tie With U.S. Group

The NewYork Film Critics have rejected affiliation with the National Film Critics of America, recently organized, on the ground that the New York group would have nothing to gain.

Rejection was voted at a meeting last week at which Kate Cameron of the *News* was elected chairman to succeed Howard Barnes, of the *Herald Tribune*. Leo Mishkin of the *Morning Telegraph* was reelected secretary.

Chief activity of New York critics is to make film awards. Eliminations have already started from a list of 10 films entered for the 1939 award, but final selections will probably not be made until late in December, due to the release that month of "Gone With the Wind" and two or three other pictures which may be eligible for an award.

The National Film Critics will also make awards based on a critics' poll. Appointment of a regional governor

(Continued on page 7)

Purely Personal

JOSEPH M. SCHENCK, board chairman of 20th Century-Fox, plans to leave for the Coast this week.

•

PERRY CHARLES, formerly with Station WHN here, has arrived from the Coast, where he was conected with the M-G-M studio. He will be attached to HOWARD DIETZ'S advertising and publicity department at M-G-M.

•

M. A. SILVER, Warner zone manager in Albany; HERMAN MEYER, chief construction engineer from the home office, and JAMES P. FAUGHNAN, zone contact manager, were in Olean, N. Y., last week.

•

EDGAR MOSS, Philadelphia district manager for 20th Century-Fox, and J. P. O'LOGHLIN, Canadian district head, have been conferring at the home office.

•

HAROLD HENDEE, director of research for RKO, will lecture Tuesday before the Charlotte Cushman Club of Boston. His subject will be "The Authentication of the Movies."

•

FRANK CASSILL of the Rialto, St. Joseph, Mo., and CHARLES MIDGLEY of the Ritz, Oakland, Cal., with his mother, were visitors here last week.

•

Wilmer & Vincent executives were guests of Altec district managers, E. O. WILSCHKE and A. J. RADEMACHER, at a World's Fair sightseeing party.

•

LOU POLLOCK, Universal Eastern advertising and publicity manager, left yesterday by automobile on a two weeks' vacation tour of the South.

•

DR. A. H. GIANNINI and ARTHUR KELLY, Universal foreign head, seen in a sidewalk interlude in front of 729 Seventh Ave.

•

SPYROS SKOURAS, head of National Theatres, arrived in Los Angeles over the weekend from a Western survey of theatres.

•

WALTER READE, JR., returned over the weekend after a brief trip upstate.

•

DAVID O. SELZNICK has spent most of his time on his current visit at the World's Fair.

•

MRS. HENRY GINSBERG is remaining in town for another week.

•

LEE NEWBURY of Belmar, N. J., was in town Friday.

•

JAY D. BLAUFOX left over the weekend for the Coast.

O. K. Reorganization

Plan of reorganization of French Motion Picture Corp. was confirmed in all respects without opposition on Friday by Federal Judge Bondy. The plan calls for payment of priority claims in full and a dividend of 15 per cent for general unsecured creditors.

Charlieinfeld Wins!

Charlieinfeld won on Friday!

No, it's not a typographical error, nor does the name refer to the advertising and publicity director of Warners.

Charlieinfeld is a horse. Running his first race in the first race at the Empire City track on Friday, and with cloudy weather and a fast track, he breezed home a winner under the colors of Mrs. W. T. Anderson.

There is no truth to the report that the two-year-old was named after S. Charles, but the latter placed a $2 "sympathy bet," just for luck.

Ruth Sherbourne Honored at Party

Ruth Sherbourne, secretary to Norris Wilcox of United Artists, was given a luncheon party at Tony's on Friday. The affair was a double celebration in honor of Miss Sherbourne's birthday and marking her resignation from the organization in order to go into business for herself. She was presented with a wardrobe briefcase.

Among those who attended were Fay Gilles, Virginia Morris, Ruth McDonald, Frances Harris, Len Daly, Norris Wilcox, Paul Lazarus, Gene Aiello, Helen O'Dea, Terry Corso, Nan Sutherland, Ann Carmody, Alice Kennedy, Rose Hubert, Margie Burns, Lee Clair, Bud Kennedy, Martha Anderson, Ray Keller, Walter Gould, Fred Didon, Louise Phesay, Tom McCabe, Tony Walker, Bob Gildersleeve, Mimi Tucker, Lucille Peters, Kitty Kweller, Jo Russo, Sue Harkins, Joe Gould, Milton Klenger, Dorothy Manners, Tom Mulrooney and Molly Prince.

Open Conferences On 'Wind' Policies

Initial conferences on sales policies and a New York premiere for "Gone With the Wind" are scheduled to be held today by David O. Selznick and John Hay Whitney with M-G-M officials.

Nicholas M. Schenck, Loew's-M-G-M president; Al Lichtman, assistant to Schenck, and William F. Rodgers will participate in the meetings. The conferences may continue into tomorrow. Selznick plans to leave for the Coast immediately upon their conclusion.

Rockefeller Ceremonies

Ceremonies marking completion of the Rockefeller Center development will be carried by NBC-Blue Wednesday from 3:30 P.M. to 4:30. This will mark completion of the 14th building. Speakers include David Sarnoff, president of R.C.A. and chairman of the board of NBC, John D. Rockefeller, Jr., who will drive the final rivet, and Nelson Rockefeller, president of Rockefeller Center, Inc.

Betty Grable Signed

HOLLYWOOD, Oct. 29.—Betty Grable has been signed to a long term contract by 20th Century-Fox. She will report to the studio after her engagement in the musical comedy, "Du Barry Was a Lady," scheduled for Broadway in December.

Allied Board Backs Cohen

(Continued from page 1)

given out. It was made by Moe Morris, a certified public accountant, covering the period from organization's inception, June 24, 1938, to Sept. 30, 1939.

Copies of the resolutions covering the action of the board at the meeting will be mailed to members to reach them prior to the state membership meeting called by Cohen for Wednesday at the Hotel Syracuse in Syracuse.

Directors attending the meeting were: Joseph Rosenzweig, New York City; Abe Stone, Albany, Charles Wilson, Troy; Charles Steiner, New York City; R. P. Merriman, Syracuse; Thomas DiLorenzo, New Paltz; Mitchell Conery, Ravena; Louis Goidel, Brooklyn; Irving Sherman, Pearl River; Ray Pashley, Interlaken; Herman Lorence, Cattaraugus; J. Abramson, Brooklyn, and Abe Levy, Brooklyn.

National Theatres In Columbia Deal

A three-year franchise contract was closed Friday with National Theatres by Columbia. The deal was in the form of a renewal of an expiring agreement and covers the more than 300 National Theatres' houses throughout the Middle West and Far West.

Spyros Skouras, Jack Sullivan, Aubrey Schenck and William T. Powers acted for the circuit, and Abe Montague, Lou Astor, Jerry Safron, Carl Shalit, Phil Dunas, B. B. Marcus and Oscar Ruby for the distributor.

Pittsburgh Theatres Enjoy Radio Tieups

PITTSBURGH, Oct. 29.—Harris Amusement Co. has engineered a swap deal with KDKA, using radio for first time as regular advertising medium. The station gives 15 minutes every Wednesday night for program called "Sneak Prevues," broadcast in unique setup using both the studio and the Harris screening room.

The program presents scenes from a picture playing at one of Harris downtown houses, aired from the sound track in the screening room, interspersed with comment from the announcer, plus an organlogue.

First 25 listeners to guess the song title and write in, get a free ticket to a neighborhood Harris theatre.

Ray Scudder Killed

Ray D. Scudder, 38, pioneer NBC radio script writer, was killed Friday when he was struck by a southbound I.R.T. train in the 50th St. Station of the West Side line. Scudder had adapted a wide variety of novels and short stories for radio and written a large number of serials and scripts.

Carnival Tax Passed

LITTLE RORK, Ark., Oct. 29.—An ordinance taxing carnivals and circuses $25 daily, pending since Aug. 28, has been passed unanimously by the City Council.

Hole in One

Asheville, N. C., Oct. 29.—Oscar C. Lam of Rome, Ga., a member of the M.P.T.O.A. national board, made a hole-in-one here yesterday during a stop-over en route to his home from the M.P.T.O.A. board meeting at White Sulphur Springs, W. Va.

The feat was accomplished on the No. 2 hole of the Asheville Country Club while Lam was playing a foursome with Mitchell Wolfson, George Snyder and Frank Donnahoe.

Myers to Address Texas Allied Group

DALLAS, Oct. 29.—Abram F. Myers, general counsel of Allied States, will be one of the principal speakers at the Allied Theatre Owners of Texas convention in the Baker Hotel here Nov. 5 and 6.

W. A. Steffes, Allied leader; H. M. Richey, theatre relations man of RKO; James R. Grainger, Republic president, and W. A. Scully, Universal general sales manager, are among others expected to attend.

Col. H. A. Cole, who has been president of Texas Allied for many years and now president of national Allied, will announce the program for the two-day meet within the next few days. Trade practices will occupy the discussion spotlight, Cole said.

War Raises More Hays Office Debate

Another adjournment of the much-adjourned quarterly meeting of the M.P.P.D.A. board of directors was taken following Friday's meeting. The board will reconvene on Wednesday.

A statement to the press on Friday said that the European situation and its domestic effects were discussed further by the directors, still with no decisive action being taken.

Monogram Closes Deals

Monogram has closed circuit deals for the company's 1939-'40 product with Fox West Coast, Los Angeles; Blatt Brothers, Pittsburgh; Fox Inmountain, Salt Lake City; J. D. Peck's Community Circuit, Des Moines; Danville Enterprises, Washington, and C. H. Davison, Salt Lake City.

MOTION PICTURE DAILY

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M-G-M FIRST IN HITS!

Says BOX-OFFICE MAGAZINE

M-G-M FIRST IN STARS!

Says BOX-OFFICE MAGAZINE



JUST PUBLISHED!
Box-Office Magazine's Report for Season 1938-39!



NOW THE COMPLETE STORY OF LAST SEASON HAS BEEN TOLD!

(and you know who's far ahead of the entire field in 1939-1940!)

1,000 Frolic At Pittsburgh Variety Fete

PITTSBURGH, Oct. 29.—Industry leaders and notables of the political, social and civic life of Pittsburgh made merry tonight in a circus atmosphere at the William Penn Hotel.

The occasion was the 11th annual banquet of the local club, Tent No. 1 of the Variety Club, honoring the retiring officers of the local tent. More than 1,000 members and guests attended. John H. Harris was chairman of the affair. With more than 20 separate vaudeville acts on the entertainment menu, and plenty of courses on the banquet menu, the crowd pronounced it a swell show.

The local club introduced a new ward, George V. Barker, III, at the banquet. Other charities of the club are the annual Milk Fund for underprivileged children, the Father O'Donnell boys' camp, baby incubators for hospitals, traveling films for children's institutions and monthly shows for the Veterans' Hospital in suburban Aspinwall.

The 17th floor of the William Penn Hotel was made over for the festivities into a replica of a circus, with sawdust on the floor, a sideshow, animals and pink lemonade.

At the speakers' table were: Rev. Edward Flanagan, of Boys' Town, Neb., who again was honored as recipient of the Variety Club's first national Humanitarian Award; Edward Everett Horton, Dr. Harry Hagen of the "True or False" radio program; Joe McCarthy and Bill McKechnie, baseball managers; Bill Conn, light-heavyweight boxing champiion; Gus Van, Coach Bill Kern of Carnegie Tech; United States Senators Joseph Guffey, James J. Davis and Rush Holt, and former Gov. Harold Hoffman of New Jersey; Coach Elmer Layden of Notre Dame, and Rudy Vallee.

Among industry leaders who were in attendance were: Ned E. Depinet, Eddie McEvoy and H. M. Richey, RKO; T. J. Conners and Edward Saunders, M-G-M; George Dembow, National Screen Service; William A. Scully, Universal; Gradwell L. Sears, Warners; Abe Montague, Columbia; Frank C. Walker, head of the Comerford Circuit and newly elected general counsel of the M.P.T.O.A.

The retiring officers of the local tent, who were honored at tonight's festivities, included: Ira H. Cohn, chief barker; Harry Seed and Jules Lapidus, first and second assistant chief barkers, respectively; Al Weiblinger, secretary; Mike Shapiro, treasurer; C. J. Latta, Al Weiss, Harry Feinstein, Jacob Soltz, Joseph Misrach and C. C. Kellenberg.

Hellinger on Radio

Mark Hellinger, associate producer and author of the Warner film, "The Roaring Twenties," will be interviewed by Bing Crosby on the Kraft Music Hall hour over a national NBC-Red hookup, Thursday, Nov. 2, at 10 P. M. Further exploitation for the film will come when Hellinger appears on the Lux program over a coast to coast and Canadian CBS hookup.

Hollywood Reviews

"The Cat and the Canary"

(*Paramount*)

HOLLYWOOD, Oct. 29.—Producer Arthur Hornblow, Jr., director Elliott Nugent and screen playwrights Walter DeLeon and Lynn Starling are entitled, each and severally, to a vote of thanks from the mystery fans, the comedy addicts and the great host of unclassified entertainment seekers for accomplishing here a wedding of laugh and thrill so neatly contrived as to equal, virtually, a new film formula.

They have produced this first and best of the thrill plays handsomely and with slight departure from the stage original. They have placed smack in the middle of it the glibly comic Bob Hope and supplied him with the best sequence of gags he's had in any recent screen or radio appearance. The result is a most unusual and altogether effective motion picture, alternately inducing shrieks of terror and shrieks of laughter to create a state of suspense infrequently arrived at by a straight drive through the center of any line.

The story is, as originally, about heirs who assemble in a lonely mansion at midnight to hear the reading of a will. Bodies fall out of the walls, lights go on and off, wierd sounds are given horrific significance, as expected. The interjection of Hope's gags give each old thrill new edge and the ensemble is as new as his lines.

Paulette Goddard, John Beal, Douglas Montgomery, Gale Sondergaard, Elizabeth Patterson, Nydia Westman and George Zucco are the other principals, each appropriate to his assignment and expert in it.

Running time, 75 minutes. "G."* ROSCOE WILLIAMS.

"Little Accident"

(*Universal*)

HOLLYWOOD, Oct. 29.—Baby Sandy's third feature picture has been built for and around and in behalf of Baby Sandy. The infant has more to do than in earlier starts and, having aged normally, adds an occasional dash of dialogue to her performance (incidentally, she is referred to as she in this one, clearing up that matter of gender). She drew chuckles and laughs from a Hollywood preview audience which also found a paper-hanger routine by Edgar Kennedy individually amusing.

Although derived from and titled for a risque stage play by Floyd Dell and Thomas Mitchell, which had a considerable Broadway vogue, the screenplay by Paul Yawitz and Eve Greene is completely appropriate for family observation so far as moral aspects are concerned. As produced and directed by Charles Lamont, it is quite frankly a return to the slapstick comedy form, employing such devices as falling ladders, runaway carriers, and winding up in a sequence wherein the lost baby, wrapped in a bundle of soiled linen, narrowly escapes disaster in a steam laundry.

Hugh Herbert, Florence Rice, Ernest Truex, Richard Carlson, Joy Hodges, Fritz Feld, Howard Hickman and Etienne Giradout, among others, carry the adult side of the story, competently to the extent of their opportunities.

Running time, 65 minutes. G."* ROSCOE WILLIAMS

*"G" denotes general classification.

Kyser Premiere Nov. 15

Governors of North and South Carolina will participate in the world premiere Nov. 15 of Kay Kyser's new picture, "That's Right, You're Wrong," at Rocky Mount, N. C., Kyser's birthplace.

Film Condemns War

The new French film, "That They May Live," being distributed in this country by Arthur Mayer and Joseph Burstyn, is a severe condemnation of war. Directed by Abel Gance, the film will go into the Filmarte after "The End of a Day."

Artie Shaw Sued

Artie Shaw, orchestra leader, was named defendant on Friday in a $30,000 suit filed in N. Y. Supreme Court by Eli E. Oberstein for alleged breach of a publicity service contract.

New Charleston Station

COLUMBIA, S. C., Oct. 29.—Atlantic Coast Broadcasting Company, of Charleston, has received a charter to conduct a radio broadcasting station under capitalization of $50,000. Officers: Robert S. Manigault, president; Edward Manigault, vice-president; Robert E. Bradham, secretary, and Hall T. McGee, treasurer.

Heeds Broadway Call

Hollywood songwriters are answering Broadway calls. Latest to be called is Jimmy McHugh, who will fly here to work with Harry Kaufman on a new Shubert show. McHugh works at Paramount.

Associates Meeting

Meeting of the Motion Picture Associates will be held tomorrow at the Hotel Astor. Business pertinent to the forthcoming dinner and dance will be discussed.

Kuykendall's Hope—More Concessions

(*Continued from page 1*)

would be resumed if action on concessions did not occur within reasonable time.

Kuykendall said he had been advised that 20th Century-Fox and Paramount would make concessions similar to those made by Warners and M-G-M, but that no formal announcement had been received from either company.

The M.P.T.O.A. president reported that the national organization had authorized appointment of an insurance committee to negotiate more favorable fire and liability rates for theatres. He emphasized that the move was not designed to promote cooperative insurance buying in order to realize commissions for the organization's treasury but was intended solely to obtain better insurance rates for exhibitors.

Members of the committee are: Arthur Lockwood, chairman; Lewen Pizor, Charles Hayman and Mitchell Wolfson.

In particular, he said, the committee will endeavor to equalize fire insurance ratings as between theatres and department stores. The latter, it is argued, could be considered an even greater fire risk than theatres, yet enjoy a lower insurance rate.

The committee will endeaver to negotiate a return to the old basis for determining liability rates by the number of seats rather than by the average annual patronage, as has been the case since 1932. Not only would this result in better rates, it was said, but it would also eliminate a condition which calls for the divulging of vital information on individual theatre operations.

Kuykendall is deferring for the time being appointment of an M.P.T.O.A. fact-finding committee to investigate the extent of foreign revenue losses due to the European war and its possible effect on the quality of future productions. This was authorized by the board of directors, but Kuykendall indicated that he is not convinced that the study should be undertaken immediately.

Kuykendall said the M.P.T.O. of Northern California will be the first regional organization to try out the parent organization's plan to establish local speakers' bureaus to educate civic and social organizations on industry activities and to counteract unfavorable publicity which might hurt either theatre business locally or the industry itself. The California organization will systematically cover meetings and functions in its territory with friendly speakers.

Other M.P.T.O.A. units throughout the country are expected to follow suit within the near future.

Kuykendall left for his Columbus, Miss., home yesterday.

Score Shorts Today

Two short subjects, the second of the "Going Places" and "Stranger Than Fiction" series, produced by Joseph O'Brien and Tom Mead for Universal release, is being scored today at the Eastern Service Studios by a symphony orchestra conducted by Jack Schaindlin, with William J. Moore, assisting.

Theatre, Personnel Notes

Warner Circuit Changes

ALBANY, Oct. 29.—Warner circuit changes in this area include: Murray Lafayette, manager of the Avon, Utica, to the Haven, Olean, succeeding Al Beckerwith, resigned. In Lafayette's place at the Avon is Arnold Stoltz, from Warners' Philadelphia office. In Elmira, L. N. Westphal, manager of the Keeney, has resigned and will be replaced by Edward Yarborough.

Van Pelt Transferred

SAN FRANCISCO, Oct. 29.—Ernest Van Pelt, M-G-M exploiter here and throughout northern California, has been transferred to the Salt Lake branch. M. Beck, whom Van Pelt succeeds in Salt Lake, has taken over in this area.

Named to Frisco House

SAN FRANCISCO, Oct. 29.—Richard Warfield has been named assistant manager of the Warfield, operated by Fox West Coast here.

Two Harrisburg Suburbans

HARRISBURG, Pa., Oct. 29.—A suburban neighborhood house to cost $75,000 is planned here. W. Allen Realty Co. are the owners. The house will seat 800. Work has begun on a new theatre being built by Frank Friestock at New Cumberland, also a suburb. It will cost $50,000 and will seat 500.

Manos Opens Nov. 7

JEANNETTE, Pa., Oct. 29.—The new Manos will open Nov. 7 under Harris Amusement Co., management. Taken over from Mike Manos after he had begun building, the theatre seats 1,000. Don Stitt, manager of Harris in Jeannette, will also handle the new house.

Building in Texas Town

NOCONA, Tex., Oct. 29.—A new theatre is now under construction here by Lutzer Bros., and G. B. Squibb, Fort Worth, is building another.

Manager in McKeesport

PITTSBURGH, Oct. 29.—Bernard Davis has been named manager of the Warner Victor in McKeesport, succeeding the late J. A. MacDonald. Davis had been MacDonald's assistant.

Opens Texas Theatre

LEVELLAND, Tex., Oct. 29.—A $40,000 house, the Rose, has been opened by Wallace Blankenship here.

Extend Conn. Operation

MOODUS, Conn., Oct. 29.—Nathan Lampert's Moodus and East Hampton Theatres, customarily held to four-day operation after Labor Day, are this year on a six-day program.

Cocalis Acquires Beach

Beach, 600-seat house in the Bronx, has been acquired by the Cocalis Circuit. Amusement Co., Inc., is the former operator.

Redecorate Conn. House

GLASTONBURY, Conn., Oct. 29.—Mrs. Nathan Lampert will redecorate and reseat the 400-seat Glastonbury here.

Harris Takes Theatre

PITTSBURGH, Oct. 29. — Harris Amusement Co. has taken over the new Manos in Jeannette, Pa., nearing completion, and scheduled to open early in November.

RCA Sets Service Deal

Western Massachusetts Theatres, Inc., operating 17 houses in New England, has contracted for RCA service for the third consecutive year, according to W. L. Jones, RCA National Service Manager.

New York Reviews

"Port of Shadows" ("Le Quai des Brumes")

(Film Alliance of the U. S.)

Here is a somber tapestry from France—somber with respect both to the atmosphere of the piece and the character and nature of the individuals who play out their sad little lives against the drab background of the Port of Havre in France, in fog and rain and depressing wetness.

It is strictly an adult motion picture, and the somber note of tragedy which pervades the film may be considered too heavy for many audiences, but the tapestry is finely woven, the quality of its component parts spun with a sure and deft touch. Marcel Carne, a young man, proves himself a director of notable accomplishments, moving his tragic figures swiftly toward their appointed ends, making cohesive a group of portrayals which might well, in less sure hands, have been straggling.

It is the tale of a deserting French soldier, in Havre, seeking a ship to South America and who finds refuge with a recluse in a shack on the quay, meets and falls in love with a girl. The girl's guardian is a villainous individual. Across the path of the couple falls a gangster, seeking the death of the guardian, then revenge on the soldier who has uncovered his innate cowardice. The soldier in self-defense kills the guardian and is himself shot down by the gangster from ambush. The man dies in the girl's arms, as the ship sails without him.

The portrayals are of the finest, led by that of Jean Gabin, as the soldier, an actor who once again demonstrates his mastery of his art. Michel Simon, as the sinister guardian, likewise offers a brilliant portrayal, while Michele Morgan, as the girl, and Pierre Brasseur, as the cowardly gangster, are splendid.

The photography is excellent, carrying out the full drabness of the picture's basic theme. Dialogue titles are adequate without being obtrusive. This surely is a fine example of the art of the screen, if limited in its appeal. Gregoire Rabinovitch produced for Cine-Alliance of Paris.

Running time, 90 minutes. "A."* CHARLES S. AARONSON.

**"A" denotes adult classification.*

"On Dress Parade"

(Warners)

The "Dead End Kids," highly accomplished young actors, all six of them, are this time split up. Four of them are honorable members of the cadet corps at a military academy, another is the irreconcilable one who is made to see the light, and the sixth, cast in a minor position, is a pal of the regenerated youngster.

It is lively entertainment all the way, with plenty of academy atmosphere to enhance the value of the film from a selling standpoint, especially for the juvenile trade. Also, for this military age, are shots of actual war maneuvers, complete with planes, big guns in action and the like.

William Clemens directed from an original screenplay by Tom Reed, and succeeded in maintaining a fast pace. The film has a fair share of amusing episodes, most of them supplied by Leo Gorcey, as the tenement hoodlum, decoyed into military school by its commander, war buddy of the boy's hero father, after the latter dies. The father had never seen his son.

The boy, confronted with discipline and student government which characterizes the school, is about to leave, until he injures Billy Halop, cadet commander. Then he sticks it out, returning to the good graces of the cadets after a daring rescue during maneuvers.

Running time, 60 minutes. "G."* CHARLES S. AARONSON

**"G" denotes general classification.*

House Sets Air Tieup

WASHINGTON, Oct. 29.—The Earle, local Warner vaudeville house, and WJSV are cooperating on a "Find of the Month" campaign. Station will select the "find" from acts on "Washington Hour," new half-hour feature heard Mondays through Fridays, and the act will receive a week's booking at the Earle.

Blanche Sweet in "Aries"

Blanche Sweet has been signed for "Aries Is Rising," forthcoming Broadway production of Harry R. Irving and Michael Dolan. Others in the cast are Alison Skipworth, Mary Mason, John Craven and Gloria Blondell.

Short Subject Reviews

"Busy Little Bears"

(Paramount)

Here is a delightful cinematic description of a day in the life of three cubs. It should bring howls of delight from children and is a natural for any adult audience. The camera discovers the cubs out in the mountains foraging for food and follows them through their series of adventures and mishaps. They have a mild scrimmage with a badger and a more serious encounter with a skunk and an eagle, but their entry into a cabin is tops. One of the best Paramount Paragraphics. Running time, 10 mins.

"A Dog Is Born"

(Paramount)

This Grantland Rice "Sportlight" describes the varied activities of Shepherd dogs (better known as Police dogs). Picking a day-old litter of seven pups, their different roles are shown. One goes to Hollywood, another becomes a child's guardian, another herds cows, another does police work, another is with the National Guard, another does "Seeing Eye" work and the last is a dog show champion. Excellent continuity. Running time, 10 mins.

"Moments of Charm of 1940"

(Paramount)

Phil Spitalny and his all-girl orchestra are heard in this color short. A definite novelty, these 30 girls provide a pleasant and varied musical interlude. Heard are the "Toy Trumpet," "Ave Maria," the "Bee" and "Begin the Beguine." Evelyn and her violin, Maxine, the "Three Little Words" and an energetic drummer are outstanding performers. Should please. Running time, 11 mins.

"Merry Wives of Windsor"

(Paramount)

A symphonic arrangement of the "Merry Wives of Windsor" overture played by the National Philharmonic Orchestra of the U. S. A. under the baton of Frederick Feher. As usual, these musicians give a worthwhile and effective performance and make first rate entertainment. Running time, 9 mins.

"Ted Fio-Rito and His Orchestra"

(Paramount)

Ted Fio-Rito's current popularity should make this subject an attractive item. In lively style, the band plays such popular numbers as "Then You've Never Been Blue," "No, No, Nora," "Sometime," "Three on a Match," "Now That You've Gone" and a swing version of the "Volga Boatmen." Highlighting the program is Lee Sullivan's rendition of "Blue Orchids." Running time, 11 mins.

Radio Programs

Wrigleys has renewed its two CBS shows for 52 weeks. "Scattergood Baines," heard Monday through Friday over 72 stations and "Gateway to Hollywood" heard Sundays at 6:30 P. M. over 62 stations, are the programs. . . .

Procter & Gamble, will shift the "Road of Life" and "This Day Is Ours" programs on Nov. 13. Former, heard at 1:30 P. M. Monday through Friday, goes into the 1:45 P. M. spot while the latter moves forward. "Road of Life" will be heard on 23 stations for Chipso and 13 stations for Oxydol, while "This Day Is Ours" will be increased from 37 to 46 stations for Crisco. . . .

"Breezin' Along," variety program with Johnny Green's orchestra, Beverly and her Bel-Aires, and Jack Smith, will be launched Wednesday, Nov. 8, at 8 P. M. over NBC-Blue. Philip Morris is the sponsor. . . . Texas Bar Association has requested permission to rebroadcast "There Is a Law Against It," heard over WHN. . . . Metropolitan Opera Saturday matinee performances will return to NBC-Blue Saturday, Dec. 2, at 2 P. M.

Seek FCC Permits For Two Stations

WASHINGTON, Oct. 29.—Applications for authority to construct two new broadcasting stations have been filed with the Federal Communications Commission by the Grand Rapids Broadcasting Corp., seeking a 1,200-kilocycle, 250-watt station at Grand Rapids, Mich., and John R. Scripps, planning a 1,430-kilocycle, 1,000-watt station at Ventura, Cal.

Other applications received included the requests of Stations WMEX, Boston, Mass., and KFXD, Nampa, Idaho, for increase of night power from 100 to 250 watts; WHMA, Anniston, Ala.; KVGB, Great Bend, Kans., and KSAN, San Francisco, Cal., for increase of power from 100 to 250 watts, and WGIL, Galesburg, Ill., for extension of time from day to unlimited.

50,000-Watt Station

SHREVEPORT, La., Oct. 29.—KWKH recently began daytime operation on 50,000, watts and in the near future, after further tests have been completed, the station will be transmitting both day and night on 50,000 watts. The new 50,000-watt transmitter was erected near Dixie, La., about 19 miles from Shreveport.

KNX Sets New Rate

LOS ANGELES, Oct. 29.—KNX, a CBS affiliate, has issued a new rate card effective Nov. 1, for new contracts, and Nov. 1, 1940 for facilities under contract prior to Oct. 31, 1939. New rate is $575 for one hour of "Class A" time, 6 P. M. to 10:30 P. M., with remaining rates in proportion.

177th NBC Station

WISE, Asheville, N. C., has become affiliated with NBC. It is the 177th NBC station.

Zanuck Warns Industry Needs 'Radical Changes'

HOLLYWOOD, Oct. 29.—Hollywood today was pondering the meaning in the words of Darryl F. Zanuck, expressed at a dinner under auspices of the Masquers Club honoring him, that the industry would of necessity undergo "many radical changes" because of the crises facing it.

Feted for his contributions to the Motion Picture Relief Fund in particular and to the industry in general, Zanuck, who was made an honorary member of the club, lauded the organization for its "good fellowship and comradeship" and warned:

"It is time that we in our industry operate on a united front. The industry faces troubles difficult to surmount. It can come out of them only with many radical changes.

"We are fortunate enough to have before us facts of business abroad and the domestic business. We must see the necessity in the future of many changes. It is not a one-man job, and every member of our industry must do his share.

"I feel justified in saying that if we mixed a little laughter with serious things, if we met more in the spirit and good fellowship of the Masquers, the industry would be better equipped to fight and lick now that which we will have to fight and lick in the future."

Approximately 300 actors, writers, directors and producers attended the event, one of a series of fetes arranged by the actors' organization.

Zanuck lamented that get-togethers in the industry were usually only over troublesome matters. He added:

"This organization, of all the groups in our industry, is the only one devoted to good fellowship and laughter. It is a sad commentary that when groups in the industry meet it is usually to make requests and demands. We gather no longer for sake of good fellowship. In this day we worry about the threat of a strike, whether to meet requests or refuse them, figures from Europe. . . ."

Samuel Goldwyn has closed a deal with W. Somerset Maugham for film rights to "MacIntosh," the author declining to come to Hollywood for the adaptation of it because of his reported counter espionage work in England.

The New York *World-Telegram* series, "Million Dollar Fugitive," based on the life of Louis (Lepke) Buchalter, public enemy, has been purchased by Republic.

BETTY GRABLE, recently with Paramount, has been signed to a long term pact at 20th Century-Fox. . . . VICTOR JORY has been signed for Warners' "Virginia City." . . . W. S. VAN DYKE will direct M-G-M's "Lover, Come Back to Me," NELSON EDDY-JEANETTE MACDONALD vehicle. . . . VIRGINIA WEIDLER draws an important role in "Young Tom Edison," in which MICKEY ROONEY has the title role at M-G-M.

While DEATH VALLEY SCOTTY rested in bed, confined by injuries incurred when a mule fell on him, Warners announced this week his agreement to act as technical advisor on "Virginia City," which will deal with early gold mining. The mysterious figure, whose source of income is unknown except for his comment that he has a good gold mine, refused any salary.

SCOTTY, whose infrequent trips to civilization from the desert wastes are marked by cash spending orgies such as the famous one years ago when he hired an entire train to take him on a record breaking run to Chicago, will be laid up for about six weeks.

DWIGHT TAYLOR has taken an option on "Murder Stalks the Mayor," mystery story by R. M. T. SCOTT, and several other of the novels dealing with the adventures of an American detective, for possible independent production for release through a major studio. TAYLOR is now at Paramount completing the screenplay of "F. O. B. Detroit."

Camera work starts next month on LEO MCCAREY's next production for RKO—"My Favorite Wife," with IRENE DUNNE, CARY GRANT and RANDOLPH SCOTT in the top roles. GARSON KANIN will direct from a screenplay by SAM and BELLA SPEWACK. . . . ANDREW STONE gets a new one-year producing director contract at Paramount because of his work on "The Great Victor Herbert."

Wobber on Coast; Aides Tour Offices

Division managers of 20th Century-Fox plan to be in the field working with district and branch managers during the period that Herman Wobber, general sales manager, is on a nationwide tour in connection with the S. R. Kent Drive.

William Sussman, eastern division head, last week was in Cleveland and will visit Cincinnati, Buffalo, New Haven, Boston and Albany. Later he will be in Philadelphia, Washington and Pittsburgh.

William J. Kupper, western division chief, left Friday for a swing around Southern exchanges. Later he will visit Oklahoma City, Kansas City and St. Louis. W. C. Gehring, central division manager, plans a trip this week. William J. Clark, sales manager of shorts, has returned from a visit to Southern exchanges.

Wobber is due at the studio today from San Francisco for conferences with Darryl F. Zanuck. M. A. Levy of Minneapolis, leader of the Kent drive, will meet Wobber in Los Angeles. They will hold branch meetings in Los Angeles Thursday and San Francisco Friday. Then they will fly to Omaha to start the third series of branch meetings on the drive.

Short Wave 'Oz' Boost

SCHENECTADY, Oct. 29.—WGEO and WGEA, General Electric's short wave stations, will send a half-hour program in Spanish and Portugese to promote the M-G-M film, "Wizard of Oz," Nov. 16 at 8 P. M. The film opens in Rio de Janeiro and Buenos Aires the next day. WGEA will be beamed to Rio de Janeiro and will carry the Portuguese version, while WGEO will be beamed to Buenos Aires with the Spanish.

Radio Personals

Barry Wood, CBS baritone, who goes into "Your Hit Parade" Saturday, was honored at the World's Fair yesterday by having it designated "Barry Wood" day. . . . Bill Shingle, formerly announcer and production man at WDZ, Tuscola, has joined the staff of WIBC, Indianapolis. . . . Herman E. Fast has been promoted to sales manager at WKRC, Cincinnati. . . .

Gene Carroll and Glen Rowell, billed as Gene and Glenn, have joined WBZ, Boston, and will do 16 programs weekly. . . . Maude Stover will have a role in "The Fortune Hunter," NBC television show. . . . J. Howard Lumpkin has been named program director for University of Texas broadcasts. . . .

Arch McDonald, WJSV, Washington sports announcer, is vacationing. . . . John C. McCormack, general manager of KTBS and KWKH, Shreveport, has been elected president of the Quarterback Club. . . . Hal Scher, announcer-producer, and Antonia Jackson, scripts editor, have joined KFSO, San Francisco. . . . Richard Crooks, now en route from Argentina, goes into the "Voice of Firestone" program, Monday, Nov. 6. It is heard over NBC-Red at 8:30 P. M.

Canada Lifts Radio Ban on Publisher

TORONTO, Oct. 29.—With retirement of L. W. Brockington of Winnipeg as chairman of the Canadian Broadcasting Corp., C. George McCullagh, publisher of the Toronto *Globe* and *Mail*, returned to the network today as a speaker, delivering an address on "Canada at War."

Last Winter McCullagh was barred as a network speaker even though he wanted to purchase the time to discuss the situation. He is now making radio appearances at the Government's invitation. His second talk is scheduled Nov. 3.

WENY, New Station, Is Mutual Affiliate

WENY, Elmira, when it opens within a few weeks, will be affiliated with Mutual. The station will be operated on 1,200 k.c. with 250 watts power and unlimited time. J. T. Calkins, of the Elmira *Star-Gazette*, owner of the station, and Fred Weber, of Mutual, made the joint announcement yesterday. The addition of WENY brings the total of affiliated stations to 122 for Mutual. WESG, Elmira, also owned by the *Star-Gazette*, is a CBS affiliate.

New Wisconsin Station

SUPERIOR, Wis., Oct. 29.—A new station, WDSM, is now operating here on an 18-hour daily schedule. Fred A. Baxter is president of the new broadcasting company; James J. Conroy, secretary; Robert D. Kennedy, station manager, and James Payton, program director. The new station is a Mutual Broadcasting System affiliate.

Drama Guild Bares Terms Of New Pact

(Continued from page 1)

ployed or under contract by the backer may not act as individual managers, except by special consent.

The backer must be a film producer; must pay all production and presentation expenses "in a first class manner," including out-of-town tryouts, and must advance this money to the individual manager. He must not take out any member of the cast during the run, but may negotiate for services after the run. All information must be revealed to the author.

$15,000 Road Show Fund

The manager must set aside a reserve fund of $15,000 from profits for a road show. Manager must decide within 15 weeks on whether a road company shall go out. Weekly statements must be furnished. Manager must receive at least 15 per cent of payment for film rights. Reasonable rentals must be paid for theatres.

Dramatist may send a play on the road on his own if the manager declines. If the backer wishes the run of the play stopped, the manager or the author may continue it. Properties may be purchased or rented by the author.

If the production is abandoned, film rights are lost by the backer. Films may not be released prior to expiration of one complete season after the play has closed, except by agreement.

Must Stick to Budget

The parties must arrive at an estimated budget and adhere to it. Expenses which may be included are enumerated in the agreement. Manager or author may request reductions of salaries or royalties.

The manager may close the play at the end of the first week if gross receipts do not equal 50 per cent of the operating costs; at the end of the second week, 66⅔ per cent; third week, 83⅓ per cent; fourth week, 100 per cent. Thereafter, he may not end the run, unless receipts fail to equal expenses for three consecutive weeks. The road shows may be closed if receipts fail to meet expenses for three consecutive weeks.

The backer must make advance payments for film rights on the following basis: A minimum of $5,000. For the second week of the play's New York run, an additional $2,500. For the third week, an additional $7,500. None of these payments is returnable in any event.

Royalties Stipulated

Additionally, the backer must pay the following royalties: On plays operating on a $7,500 budget, 15 per cent of the first $5,000, 20 per cent of the next $5,000, and 25 per cent for the balance. This applies for the first 15 weeks of the run. Thereafter, 15 per cent of receipts for the next 15 weeks, 12½ per cent for the remainder and 10 per cent of road show receipts. Percentages are lower for plays operating on higher budgets.

Films rights do not accrue to the backer, unless there is an opening in the Borough of Manhattan. The backer is not required to make percentage payments in weeks where receipts do not meet expenses.

If the manager or author takes over the play, the backer is no longer responsible for operating expenses but must continue to make percentage payments for film rights. If a play is closed with intention to reopen, percentage payments must be resumed after opening.

Special concessions may be requested and may be granted by the guild council at its discretion, but all managers must be treated alike. All disputes under the agreement must be submitted to arbitration from time to time. Amendments may be made by agreement between the guild and managers.

G. N. Receiver Order Is Killed

(Continued from page 1)

prove charges against it.

In arguing for a dismissal, Saul E. Rogers, attorney for Grand National, cited a letter from the RFC, dated Oct. 24, which granted an increased loan of $450,000 to the company.

Simon H. Rifkind, receiver under Judge Mandelbaum's order, stated to the court that he had not qualified for his office and had no objection to his removal.

Arthur V. Selig, attorney for the petitioning creditors, sought in vain to substantiate the charges in the petition and claimed that Grand National had a present deficit of over $450,000.

A meeting of creditors, called by Hap Hadley, creditor, at the Hotel Astor Friday for the purpose of forming a creditors' committee, disbanded voluntarily after Rogers announced the dismissal of the petition.

N. Y. Critics Refuse Tie With U.S. Group

(Continued from page 1)

for New York and New Jersey was held up by the national organization until a decision on affiliation by the New York City critics. The vote against joining was unanimous among the 12 of the 18 members of the New York group attending the recent meeting.

The group decided that it should continue making awards of its own, as it has done since it was formed in 1935.

The 1939 awards will be made by the New York critics early in January. Mayor F. H. LaGuardia will be invited to be the master of ceremonies.

The awards are for the best picture of the year, best male and best female performances, and best direction. An award is also made for the adjudged outstanding contribution to films during the year.

Leslie Spiller Dies

Leslie J. Spiller, 40, theatrical manager, died on Friday in Mt. Sinai Hospital after a brief illness. His last venture was "The Hook Up," produced in 1935. His widow survives.

Form Production Firm

ALBANY, Oct. 29.—Aldblack Productions, Inc., has been incorporated here. Lee Moseele, Geraldine Weiss and Rose Lader, New York, are directors.

Embassy Will Mark 10th Newsreel Year

For the celebration of the 10th anniversary of the Embassy Newsreel Theatre next Thursday there has been prepared a 15-minute, two-reel subject containing the highlights of the contents of the first program of the theatre, when it opened on Nov. 2, 1929.

The theatre then was the first in the world to devote its entire program to newsreels, and since that date the reel theatre idea has spread virtually throughout the world. W. French Githens, president of Newsreel Theatres, which operates the Embassy, was the editor of the Embassy's first program 10 years ago. The company now operates two other theatres in Manhattan and one in Newark.

The special reel, prepared by Fox Movietone News, contains clips of the attempted assassination of Prince Humbert of Italy at a ceremony in Brussels, with the shot heard on the screen; scenes outside the New York Stock Exchange immediately after the market crash; an especially interesting talk by Winston Churchill at the end of an American visit, the stringing of cables for the George Washington Bridge, and an amusing encounter between an ocelet and a chimpanzee.

At 6:30 P. M. on Thursday a ceremony will mark the celebration, with a plaque to be unveiled.

C. C. Moskowitz Host To Loew Managers

C. C. Moskowitz will play host Nov. 23 to Loew Theatre district managers, managers and assistant managers, and their wives at a Thanksgiving Beefsteak and Dance. About 400 will attend the affair, to be held in the Starlight Roof and Palm Room of the Waldorf-Astoria. It will be an informal get-together, says Moskowitz, in appreciation of the efforts of the theatres during the Summer.

Bankruptcy Decree For Brooklyn Eagle

Federal Referee Wilmot L. Morehouse decreed over the weekend the bankruptcy of the Brooklyn *Daily Eagle*. The action, however, will not affect the publication of the paper, Morehouse said. At the request of the creditors, Morehouse will name a trustee.

Delay Negotiations on Painters' Wages

HOLLYWOOD, Oct. 29.—Representatives of producers and the Moving Picture Painters Local 644 met Friday to debate the union's demands for a 15 per cent wage increase, and after three and a half hours adjourned the meeting to next Wednesday.

Meeting with the union were Y. Frank Freeman, E. J. Mannix and Mendel Silberberg, producers, and Pat Casey and Fred Pelton, producers' labor contact officers. Wednesday's meeting will be with top executives of major studios.

Having rejected a suggestion from producers that negotiations be delayed until Dec. 5 when the basic agreement conferences are scheduled, the Painters local has demanded an immediate answer to its wage demands on threat of a strike.

'Babes' Wins Seattle Lead, Takes $8,600

SEATTLE, Oct. 29.—"Babes in Arms" and "Television Spy" at the Fifth Avenue led the town with $8,600. "The Real Glory," in its second week at the Liberty, took a good $6,000. The weather was cool.

Estimated takings for the week ending Oct. 27:

"Babes in Arms" (M-G-M)
"Television Spy" (Para.)
FIFTH AVENUE—(2,500) (25c-40c-55c) 7 days. Gross: $8,600. (Average, $7,000)
"The Real Glory" (U. A.)
LIBERTY—(1,800) (25c-40c-55c) 7 days, 2nd week. Gross: $6,000. (Average, $5,000)
"The Women" (M-G-M)
MUSIC BOX—(950) (25c-40c-55c) 7 days, 4th week. Gross: $4,200. (Average, $4,000)
"All Quiet on the Western Front" (Univ.)
"The Day the Bookies Wept" (RKO)
ORPHEUM—(2,450) (25c-40c) 7 days. Gross: $5,000. (Average, $6,000)
"On Your Toes" (W. B.)
PALOMAR—(1,500) (25c-40c) 7 days. Vaudeville headed by Joe Morrison. Gross: $5,200. (Average, $5,000)
"Hollywood Cavalcade" (20th-Fox)
"Death or a Champion" (Para.)
PARAMOUNT—(3,050) (25c-40c) 7 days, 2nd week. Gross: $6,000. (Average, $6,000)

Full Length Dramas Television Favorites

(Continued from page 1)

these ballots, 149, or 43 per cent, voted.

Ballots showed that 50 per cent watched a minimum of six to seven hours of the total of 11 hours telecast. The "Jane Eyre" telecast drew 96.2 per cent, by far the largest. Poorest audience was for the Chinese Independence Day telecast from the World's Fair.

It is believed that the vote for the mobile unit programs was considerably helped by the telecast of the C. C. N. Y.-Scranton football game.

Telecast of Gilbert and Sullivan operettas always evoke a large mail response. An unusually large response has also been received for weekly telecasts of "The Lost Jungle," a serial produced by Mascot in 1934. One episode is shown each week and television's sophisticated audience loves it. Ten episodes have been shown thus far.

McElhinney Is Given Singapore Fox Post

Joseph D. McElhinney, salesman for 20th Century-Fox in Salt Lake City, will leave shortly for Singapore where he will take over the Dutch East Indies branch for the company, effective Jan. 1.

McElhinney has been in New York receiving instructions from Walter J. Hutchinson, director of foreign distribution. His predecessor in Singapore is Keith Goldsmith, formerly a salesman for the company in Albany.

Program Evaluation

ST. LOUIS, Oct. 29.—An education board to meet monthly to discuss proper program evaluation, experimentation and offer criticism and suggestions has been established by KMOX here. Business men, educators and station officials have been invited.

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to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 85 NEW YORK, U. S. A., TUESDAY, OCTOBER 31, 1939 TEN CENTS

GIVE UP 10% WAGE BOOST, PRODUCERS IN PLEA TO I.A.T.S.E.

Industry Faces Disaster If Increase Stays, Studios Charge

HOLLYWOOD, Oct. 30.—Producers tonight formally requested the I.A.T.S.E. to voluntarily relinquish the 10 per cent wage increase which the studios were compelled to grant the union recently.

In letter addressed to William Bioff, I.A.T.S.E. leader who negotiated the wage increase on Sept. 25, E. J. Mannix, chairman of producers' labor negotiating committee, declared that disaster faces the industry if the wage increase continues.

The four-page letter said in part:

"On Sept. 25 companies producing motion pictures granted to crafts represented in I.A.T.S.E. ten percent increase in basic wage rates. An increase even greater than finally granted was demanded by you, despite the fact that a great war had just begun, creating conditions which were bound to vitally injure this already harassed industry.

"At a meeting which preceded granting of this increase, we attempted to show you the inevitable and tremendous effect in closing or part time closing of theatres in warring countries, depreciation in value of English money, embargo on export of money by many countries, and many detrimental changes to our business taking place not only in the war zone but throughout the world.

"We asked you then for postponement of our negotiations until conditions were clarified so that we could

(Continued on page 6)

Fair to Close Gates Tonight; '40 Show Set

Admission Prices Face Slash Next Year

With a second season in 1940 assured, the New York World's Fair will close its gates tonight at 2 A. M. It is expected that more than 26,000,000 will have paid their way through the turnstiles before the closing hour, according to figures released by the Fair's treasury department.

The Fair will remain closed to sightseers over the Winter period and will reopen May 25. Many of the exhibitors in the industrial and foreign area are expected to return with enlarged buildings next year.

The outstanding success of exhibitors in these areas has induced many to sign contracts to return next year and others are expected to do so in the near future.

On the other hand, concessionaires in the amusement area have not met with the same success. Failure of Fair officials to cooperate has been blamed for some of the losses. It appears fairly certain that next year's admission prices will be scaled in the lower brackets as they have been since August, and this is expected to aid the amusement area exhibitors. In ad-

(Continued on page 7)

'Lion Has Wings' Opens in London

LONDON, Oct. 30.—The release version of "The Lion Has Wings," produced by Alexander Korda, was screened today, with long waiting lines despite a morning air raid warning, for the long awaited premiere of the patriotic film at the Leicester Square.

The film generally was voted a tremendous success, with international distribution forecast. The first feature sponsored by the Ministry of Information, it is a vivid and moving record of Britain's peaceful, pre-war existence, and the current organization of aerial defense and attack.

Widespread appeal seems assured for the picture, chiefly because of the intimate glimpses of fighter control centers, British bombers at Kiel, a balloon barrage and the like. Ralph Richardson and Merle Oberon are starred. The film is said to have cost about $100,000.

Exhibitors Fighting Pari-Mutuel Betting

Exhibitors in New York State are cooperating with other business and civic groups in enlisting public support against the proposed amendment to the state Constitution to legalize pari-mutuel betting at race tracks. This will be voted on next Tuesday.

Independent theatres are especially active. The M.P.T.O. of Western New York discussed the matter at a general meeting yesterday in Buffalo. New York City circuit heads and independents have held meetings on the situation.

Trustee, Attorney Seek Allowances For RKO Services

Ad interim allowances totalling $140,000 were asked of Federal Judge Bondy yesterday by the Irving Trust Co. as trustee of RKO and William J. Donovan, attorney for the trustee, in petitions filed in U. S. District Court.

At the same time Price, Waterhouse & Co. filed a petition requesting an allowance of $4,800 for examination of the books and accounts of RKO for the year ending Dec. 31, 1938, and for preparation of a consolidated balance sheet.

The company as of Sept. 30 had $517,543 cash at hand in its revolving fund, the petition said, out of which $200,922 has been set apart for administration expenses. The petition also disclosed that litigation long pending between RKO and Pathe Film Corp.

(Continued on page 6)

U.S. Relaxes Stand in N.Y. Trust Action

A partial agreement by the Government to narrow some of its interrogatories to specific cases in the New York anti-trust suit was reached yesterday after a conference between industry attorneys and Special Assistant Attorney General Paul Williams. The conference was held for the purpose of reaching an agreement on what constituted proper interrogatories.

Williams stated at the conclusion of the conference that he did not expect answers to be available to both interrogatories from the government and the majors for at least two or three months. He termed progress between himself and attorneys for the majors in agreeing upon interrogatories as "satisfactory."

Interrogatories, besides those already filed by United Artists Corp., will not cause any difficulty for the government in answering them, he declared.

Industry attorneys pointed out that unless the questions were limited to specific cases, the length of time it

(Continued on page 7)

Buffalo Houses Face Loss of Licenses Over Games

BUFFALO, Oct. 30.—Possible theatre license revocations loomed here today as Elmer C. Winegar, city director of licenses, asked the Corporation Counsel's office if he would be justified in revoking the license of a theatre conducting chance games.

Corporation Counsel David Diamond replied with a suggestion that police and the district attorney's office get together to determine whether state lottery laws are being violated by theatre men allowing Bingo and other games to be played in their houses. He pointed out that one of the conditions on which a theatre accepts a license is that no lottery shall be conducted.

Diamond said that whether a theatre operator's license is revocable because of the game depends on whether the game is illegal in the sense that it is a violation of state penal law.

"I do not find that any court of record in this state has decided that the playing of Bingo is illegal," he said. "I do find the operation of the

(Continued on page 7)

N. Y. Censors' Ban On 'Beast of Berlin'

Terming it "inhuman, sacriligeous and tended to incite crime," the New York censor board yesterday banned "Hitler, Beast of Berlin," made by Producers Distributing Corp.

Henry Rathner, New York representative of the producer, charged that "this decision of the censors is a violation of constitutional rights." He said the censors' order would be fought, if necessary, in the highest courts.

The Will Hays office withheld its purity seal from the picture, according to Rathner, on the basis of the title alone.

Purely Personal

MAX A. COHEN, president of New York Allied, flies to Syracuse tonight to preside at a state membership meeting tomorrow.

•

SPENCER TRACY was a visitor here yesterday, after conferences in Detroit on his forthcoming Edison picture. He left for the coast last night with HOWARD STRICKLING, publicity manager of the M-G-M studio.

•

J. J. SPANDAU, manager of the Universal exchange in Des Moines, has returned to his desk after a week at the Immanuel Hospital at Omaha, for an operation for sinus trouble.

•

EVELYN RUTH NADEL, daughter of JOSEPH NADEL, production manager for BORIS MORROS Productions, was married Sunday to CHARLES METZGER in Hollywood.

•

STANLEY KOZANOWSKI, of the Rivoli, Buffalo, will be guest of honor on election eve at a party to be given by members of the Buffalo Variety Club.

•

RALPH BYRD, the "Dick Tracy" of Republic serials, breaks a personal appearance tour by arriving here today from Washington for a two-day visit.

•

MRS. RUBY WILEY, formerly cashier at the Universal exchange in Des Moines, and MR. WILEY, are the parents of a son born last week.

•

MRS. LOUIS J. FINSKE of Denver, wife of the Colorado manager of the J. H. Cooper circuit, is visiting here.

•

AL LICHTMAN for the time being has canceled plans to come here from the Coast.

•

JAMES R. GRAINGER, Republic president, left for Boston yesterday. He will return tomorrow.

•

WALTER CONNOLLY, an alumnus of St. Xavier University, Cincinnati, is visiting his sister in that city.

•

WILLIAM DORFMAN is in town from the Coast.

•

KAY KYSER has returned to town from the Coast.

Schaefer Seeks Rest

HOLLYWOOD, Oct. 30.—George Schaefer, president of RKO, leaves tomorrow for a few days' rest in an unannounced spot. He expects to arrive in New York next Monday.

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Charity Opening

St. Louis, Oct. 30.—Opening night of the new $350,000 Esquire, in suburban Richmond Heights, scheduled for Nov. 8, has been turned over to the United Charities $2,200,000 campaign. Seats will sell for $1 each, and most of the 1,200 seats already have been sold. A four-hour performance has been scheduled for the premiere, to which have been invited Governors Lloyd C. Stark of Missouri and Henry L. Horner of Ilinois and a host of local civic leaders.

Sidney Remaining On Coast for Metro

Louis K. Sidney, M-G-M associate producer, who was scheduled to come to New York, is remaining on the Coast and is discussing plans with Louis B. Mayer to continue in production. He formerly was in charge of WHN, Loew-owned station here, and went to the Coast to handle the 'Good News" radio program which M-G-M dropped earlier this year.

Perry Charles, formerly with WHN and associated with Sidney on the Coast, is now in Howard Dietz's advertising and publicity department. He will handle the campaign on "Gone With the Wind."

Norton Ritchey Host To Foreign Visitors

Norton V. Ritchey, Monogram foreign manager, and Charles Morla, assistant to Ritchey, gave a luncheon yesterday at Lyons Restaurant in honor of foreign visitors.

Guests were Armando Miranda, manager of Monogram Pictures of Puerto Rico, and attorney for Ramos Cobian's United Theatres circuit there; Rafael Arzoz, newly appointed Monogram distributor in Mexico, and Mrs. Arzoz; Rafael Rufino y Villegas of the Luzon Theatres in the Philippines, and Carlos Rodriguez of Venezuela.

Korda Will Attend U. A. Meeting Here

Alexander Korda has advised the home office of United Artists from England that he will attend the annual stockholders' meeting of the company to be held Nov. 14.

Korda is one of the five owner-producers of United Artists, the others being Mary Pickford, Charlie Chaplin, Douglas Fairbanks and Samuel Goldwyn. Because of censorship, the date of Korda's departure from England is not known.

Levy Undergoes Operation at Mayo

ROCHESTER,, Minn., Oct. 30.—Jules Levy, former general sales manager of RKO, was operated on at St. Mary's Hospital. His condition is satisfactory and it is expected that he will leave the hospital for the Kahler Hotel in about a week.

Change Opening Day

NEW HAVEN, Oct. 30.—All Warner "A" houses in New Haven, Hartford, Bridgeport, Hartford, Springfield and Worcester have changed from Wednesday to Friday opening.

Washington MPTO To Join Coast Unit

SEATTLE, Oct. 30.—Reorganization of the motion picture theatre exhibitors of this state into an independent unit, as opposed to their present status as the M. P. T. O. of Washington, was instituted here at the annual convention.

The business session of the convention empowered its officers to proceed with the reorganization of the state body into a group which will associate with the new Pacific Coast Conference of Theatre Owners, now functioning in California and Oregon. National affiliations will be eliminated.

L. O. Lukan as 1939 president and James M. Hone as executive secretary, will conduct the reorganization, which eventually will eliminate all state officers, but will be governed by a board of trustees and an executive secretary.

Wisconsin Group Plans Ascap Fight

MILWAUKEE, Oct. 30.—The Tavern Music Protective Association of Wisconsin has been organized here for the purpose of bringing action against Ascap for alleged discriminatory and illegal fee assessments.

Night club owners, tavern keepers, hotel men and musicians have indicated their intention of supporting the new group. Volmer Dahlstrand, president of the Milwaukee Musicians' Association, Local No. 8, has been named to the board of directors of the association.

The association not only plans to fight cases under Wisconsin statutes, but will attempt to get the national copyrighted law amended to outlaw the minimum $250 fine for infringement violations.

Metro Losers Pay For Winners' Meal

M-G-M branches which lead their districts in the annual summer competition are holding "victory dinners" at the expense of other branch offices.

The winning exchanges are Minneapolis, William H. Workman, manager; Cincinnati, Edwin M. Booth, manager; Charlotte, Benn Rosenwald, manager; New Haven, Thomas J. Donaldson, manager; Omaha, Harry J. Shumow, manager; Los Angeles, Clayton T. Lynch, manager, and New Orleans, C. J. Bryant, manager.

Cincinnati has been presented a trophy as the national winner for 1938-'39 billings volume. The trophy, a stuffed lion's head, was presented by Manager Rosenwald of Charlotte, which won the trophy last year.

Paleontologist Signed

HOLLYWOOD, Oct. 30.—Antone Martin, paleontologist, has been signed by Hal Roach as technical adviser on "1,000,000 B. C.," which D. W. Griffith will produce. United Artists will release the film.

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Screen Actors Fight Need of Wage Cuts

Hollywood, Oct. 30.—War facts now do not prove the need for wage cuts is the gist of the leading article in the current official bulletin of the Screen Actors Guild. The article says, in part:

"The Screen Guild Bulletin doesn't know how the war will affect the motion picture industry revenues, and (illegible) doubts anyone does. It do know that organized actors, joined by the forces of the directors and writers guilds, will resist as a unit general cuts."

Metro Exchange Party Set Friday

A belated Hallowe'en party will be held at M-G-M's New York exchange Friday. It was originally planned for Oct. 23 but due to an M-G-M managers' meeting in Chicago, set for that date but later postponed, the party also was deferred.

The party will open with a screening of an M-G-M feature, probably "Babes In Arms." A buffet supper, dancing, entertainment and the usual Hallowe'en pranks are also on the program. Edward Susse is in charge of arrangements.

Wisconsin I. T. P. A. Opens Meet Today

MILWAUKEE, Oct. 30.—The I. T. P. A. of Wisconsin and Upper Michigan will open its two-day annual meeting at the Schroeder Hotel here tomorrow.

A Hallowe'en party tomorrow night and a floor show the following night will take care of the festive aspect of the meeting. Business sessions are scheduled for both days.

Plan 'Racket' Series

HOLLYWOOD, Oct. 30.—For its 1940-'41 season, Warners will have a new series of two-reel subjects, known as "Racket Busters" and dealing with law enforcement agencies' battle against crime. First picture in the new group will go into work either in late December or early January under Gordon Hollingshead's supervision.

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TODAY!

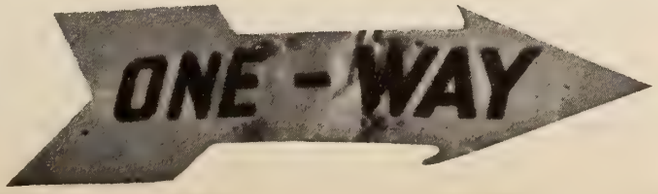
Special M-G-M Flash!





POMONA, CAL.—The greatest musical that M-G-M or any company ever made was sneak-previewed here this week. The picture is "BALALAIKA". It is Nelson Eddy's best role since "Naughty Marietta" and it launches a glamorous personality in Ilona Massey. Audience reaction tremendous!

More in our next issue of TODAY!



M-G-M

'Babes' Pulls Good $13,500, Denver Lead

DENVER, Oct. 30. — "Babes in Arms" was a smash hit with $13,500 at the Orpheum. "Honeymoon in Bali" was strong in its second week at the Denham, with $7,500.

Estimated takings for the week ending Oct. 25:

"Hollywood Cavalcade" (20th-Fox)
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $3,500. (Average, $3,500)
"Nurse Edith Cavell" (RKO)
"The Day the Bookies Wept" (RKO)
BROADWAY—(1,040) (25c-35c-40c) 7 days, 2nd week. Gross: $2,000. (Average, $2,500)
"Honeymoon in Bali" (Para.)
DENHAM—(1,070) (25c-35c-40c) 7 days, 2nd week. Gross: $7,500. (Average, $6,500)
"The Real Glory" (U. A.)
DENVER—(2,525) (25c-35c-40c) 7 days. Gross: $13,500. (Average, $9,000)
"Babes in Arms" (M-G-M)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $13,500. (Average, $9,000)
"The Under Pup" (Univ.)
"Mutiny on the Blackhawk" (Univ.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,000. (Average, $3,500)
"The Old Maid" (W. B.)
"Hero for a Day" (Univ.)
RIALTO—(878) (25c-40c) 7 days, "Old Maid," 3rd week. Gross: $2,000. (Average, $1,750)

Open Italian Film

"Scipione L'Affricano," Italian film which concerns the second Punic War, will begin a special engagement Thursday at the Cinecitta. Premiere of the picture was held in the theatre about a month ago, but English titles have been dubbed since.

Balaban & Katz-U.A. Deal Seen Nearing Completion

CHICAGO, Oct. 30.—The product deal with Balaban & Katz is near completion, according to United Artists sales representatives here. Jack Schlaifer, who has been here off and on for the past two months working on the deal, leaves for New York early this week. A number of U. A. pictures, "Four Feathers," "They Shall Have Music" and "Road to Glory," were spot booked into B. & K. Loop theatres to enable release schedules to be met.

Kay Kyser, accompanied by Jinny Sims, stopped over in Chicago Sunday en route east for the premiere of his new RKO picture in Rocky Hill, N. C. Kyser will broadcast his next program from New York.

The legitimate theatre season in Chicago is currently running full blast. Now in the lead is the John Barrymore show, "My Dear Children," at the Selwyn, still a big money maker after 24 weeks. Ruth Chatterton in "Tonight We Dance" is at the Harris and leaves following a mediocre run, to be replaced by Katharine Cornell in "No Time for Comedy," Nov. 4. "Mamba's Daughter," with Ethel Waters is at the Grand and "White Steed" is at the Erlanger. Edward Everett Horton brings a revival of "Springtime for Henry" to the Erlanger late in November.

There is a great demand for tickets for the lecture to be given Monday, Nov. 13, at the Sinai Temple by James Roosevelt on the subject "Motion Picture—Propaganda or Entertainment?"

Eddie Cantor heads the stage show at the Chicago, starting Friday. Cantor gets the highest salary and percentage ever given a performer by B. & K. The Ritz Brothers, who took $15,000 for one week's engagement held the previous record. Cantor gets a guarantee and a percentage which is expected to net him about $25,000. Following Cantor into the Chicago is Joe E. Brown. He will be followed by Ted Weems and his band.

The Chicago Opera season opened Saturday night and indications are for a big season. Now here for engagements are Grace Moore, Gladys Swarthout and Helen Jepson.

Sylvan Goldfinger, veteran theatre manager, formerly connected with B. & K. here, will become the manager of the new "Telenews" newsreel theatre, which opens here Dec. 1. Goldfinger is in New York at present, conferring with theater executives regarding the opening of the new house.

'Babes' Providence Smash with $17,800

PROVIDENCE, Oct. 30.—Loew's State turned up the best gross of the year with "Babes in Arms" and "The Rookie Cop," taking $17,800. Narragansett race track competition and run-of-the-mine bills elsewhere kept business down.

Estimated takings for the week ending Oct. 24-26:

"Babes in Arms" (M-G-M)
"The Rookie Cop" (RKO)
LOEW'S STATE—(3,230) (25c-35c-50c) 7 days. Gross: $17,800. (Average, $11,000)
"On Your Toes" (W. B.)
"Smashing the Money Ring" (W. B.)
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $4,500. (Average, $7,000)
"Jamaica Inn" (Para.) (2 days) (2nd week)
"$1,000 a Touchdown" (Para.) (2 days) (2nd week)
"Death of a Champion" (Para.) (5 days)
"Calling All Marines" (Rep.) (5 days)
STRAND—(2,100) (25c-35c-50c) 7 days. Gross: $5,000. (Average, $6,000)
"Of Human Bondage" (RKO)
"The Lost Squadron" (RKO)
RKO-ALBEE—(2,239) (25c-35c-50c) 7 days. Gross: $5,400. (Average, $6,000)
"Heaven With a Barbed Wire Fence" (20th-Fox)
FAY'S—(1,800) (25c-35c-50c) 7 days, with stage show featuring Jack Gwynne & Co.; Bellette and English Bros.; Kirke and Clayton; Goodrich and Nelson; Neilson and Knight. Gross: $4,000. (Average, $6,500)
"Hollywood Cavalcade" (20th-Fox)
CARLTON—(1,526) (25c-35c-50c) 7 days, 2nd week. Gross: $2,000. (Average, $3,500)
"Golden Boy" (Col.) (3 days)
"Chicken Wagon Family" (20th-Fox) (3 days)
"The Rains Came" (20th-Fox) (4 days)
"Unexpected Father" (Univ.) (4 days)
EMPIRE—(2,200) (20c-30c) 2nd run. Gross: $1,300. (Average, $1,800)

Heads Women's Clubs

KANSAS CITY, Oct. 30.—Mrs. James H. States, wife of the head booker at Paramount, has been elected head of the second district of the Missouri Federation of Women's Clubs.

Has Sunday Vaudeville

TERRYVILLE, Conn., Oct. 30.—Joseph Faith has started Sunday vaudeville at the Mayfair, with Dixie Dunbar headlining the opening bill.

Theatre, Personnel Notes

Charter Two Theatre Firms

ALBANY, Oct. 30.—Two new theatre corporations chartered here are: Ma- Theatre Corp., Brooklyn, by Is-el Kay, Rose Goldstein and Frances Kinsler, and Lilmac Amusement Corp., New York, by Philip Fliashnick, Max Lerner and Lillian Geldzahler.

Plans California House

SAN FRANCISCO, Oct. 30.—Richard Bare, operator of the Carmel Theatre at Carmel, on the Monterey peninsula, has announced plans to open a new film house at Claremont, in southern California.

Remodel Cincinnati House

CINCINNATI, Oct. 30.—The 450-seat suburban Clifton, recently acquired by Mannie Marcus, Indiana circuit operator, will be remodeled, after which the name will be changed to the Vogue. Victor Coffel has been named manager.

Expand Orpheum Seating

DES MOINES, Oct. 30.—Emil Franke, manager of the Orpheum, has announced that 683 new seats are to be installed in the balcony of the theatre after RKO takes over the management Nov. 2. There are 949 seats on the first floor, making the entire seating capacity 1,632.

Reopen Kansas City House

KANSAS CITY, Oct. 30.—The Benton, suburban house, has reopened after a year's darkness. The theatre, owned by the Kansas City Benton Theatre, Inc., is affiliated with Commonwealth Theatres, as is the Ashland, here. Lee Miller, city manager for Commonwealth, has charge of both theatres, with Tom Garrison, formerly at the Vista, house manager at the Benton.

Danz Remodeling State

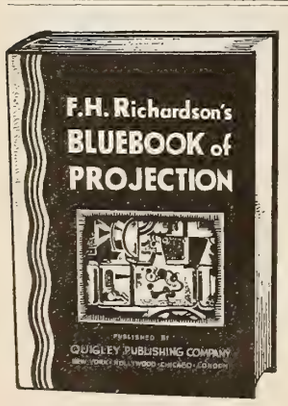
SEATTLE, Oct. 30.—John Dans has closed the State, burlesque and second run double feature house, for renovating. Reopening is scheduled for next week, under the name of the Rivoli.

Connecticut Openings Set

NEW HAVEN, Oct. 30.—The next opening in the New Haven territory will be that of the 658-seat Groton, announced for Nov. 10 by D. C. Hess. The 900-seat Forest Theatre in Allingtown, West Haven, will open on Thanksgiving, and several other theatres under construction or extensive remodeling will be ready before the end of the year. A. M. Schuman of the Black Rock, Bridgeport, has completed plans for a 1,200-seat theatre, to be started next March.

Altec Closes Baehr Deal

Baehr Brothers of Brainerd, Minn., has contracted for Altec Service Corp. to service 10 Baehr houses in Minnesota and North Dakota.



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Start Scoring 'Gulliver' Film At Para. Plant

HOLLYWOOD, Oct. 30.—Director DAVE FLEISCHER of MAX FLEISCHER'S production forces and five others from Florida cartoon studios arrived this week at Paramount to work on the final scoring and editing of Paramount's first feature length cartoon, "Gulliver's Travels." With FLEISCHER are LOU FLEISCHER, music department head; CHARLES SHETTLER, camera head; MORRIS MANNE, sound effects director, and AL SPAR, DAVE FLEISCHER'S assistant. The film will be released at Christmas.

RKO has signed EDNA BEST for top roles in two undetermined pictures, following executives' viewing rushes on Towne and Baker's "Swiss Family Robinson," in which she appears. . . . GEORGE STEVENS has been assigned the direction of "The Enchanted Cottage," from the ARTHUR WING PINERO play. It is set as a vehicle for GINGER ROGERS.

Paramount has taken up the option on further services of ROBERT PAIGE. . . . HUMPHREY BOGART takes the role originally set for VICTOR JORY in Warners' "Virginia City." JORY is busy in another picture.

LILLIAN BOND has been signed to portray Lily Lantry in "Vinegarroon," SAMUEL GOLDWYN production starring GARY COOPER. WILLIAM WYLER will direct. . . . GOLDWYN incidentally is preparing a sequel to "Raffles," to be titled "Raffles, the Amateur Cracksman," in which DAVID NIVEN, when he returns from England, will be starred.

PAT O'BRIEN draws one of the top roles in "We Shall Meet Again," in which Warners will star MERLE OBERON and GEORGE BRENT. EDMUND GOULDING will direct. . . . MARGARET TALLICHET, who retired from the screen to marry WILLIAM WYLER, is making tests for "Vinegarroon," which her husband will direct at the Goldwyn studio.

ELLEN DREW is the feminine lead for Paramount's "Buck Benny Rides Again." . . . CLARENCE BROWN will direct M-G-M's "Edison, the Man." . . . JOSEPH O'DONNELL has been named western story editor for the three western units of Producers Pictures Corp. which will produce at its studios at Prescott, Ariz. He will act also as contact man between BEN JUDELL, head of the company, and BERT STERNBACH, general manager of the Prescott plant.

Warners has purchased "January Heights," novel by POLAN BANKS, as a vehicle for MIRIAM HOPKINS.

'Captive' Opening Set

HOLLYWOOD, Oct. 30.—"I Was a Captive of Nazi Germany," film reputedly telling the true life experiences of Isobel Lillian Steele, young American girl held in a Nazi prison recently, will have its west coast premiere at the Cinema Theatre Wednesday. The film, based on Miss Steele's book, was produced by Albert Mannon and distributed by Bert Goldberg.

New York Review

"Jeepers Creepers"

(Republic)

"Jeepers Creepers" is the story of a hillbilly town which manages to get along peacefully for generations until coal is discovered in the hills. Then a ruthless industrialist manages to obtain the land and the countryside is thrown into turmoil.

Scenes of the weekly "meetin'" together with the songs and several free-for-alls enliven the film, but for the most part it is somewhat slow in pace. An excellent cast is provided with the Weaver Brothers, Leon and Frank, Elviry, Roy Rogers, Marie Wrixon, little Billy Lee, Lucien Littlefield and Thurston Hall.

The trouble starts when Roy arrests Hall, the coal baron, for throwing a lighted cigar into the forest. Leon Weaver (the mayor, justice of peace, etc.), believing that a fine would be inadequate, sentences Hall to one day at hard labor. When Miss Wrixon, Hall's daughter, objects, she is sentenced to one day's hard labor for contempt of court.

Marie is set to washing windows but Hall, who is assigned to digging, discovers coal. He offers to purchase the land but when the hill folk refuse he buys the land from the county for unpaid taxes. His men encounter little trouble until a drunken driver kills "Grandpa" Littlefield. A fight starts and is followed by a forest fire in which Hall is trapped and finally saved by Billy. This, of course, makes the magnate relent and permits the marriage of Roy to Miss Wrixon.

Running time, 69 minutes. "G."* EDWARD GREIF

*"G" denotes general classification.

Avert Price Shift In Loop Houses

CHICAGO, Oct. 30.—Possibilities of price changes in Loop theatres have been averted, since the RKO Palace, which drops stage shows starting Friday, is keeping the same price scale. Double features will be the policy.

Product for the Palace will come from RKO and Universal as well as independents. With the Palace using two first run pictures a week it is expected that independent producers will get a break in first run Loop engagements, difficult in the past.

With the top evening price at the Palace 75 cents, Balaban & Katz will not have to revise prices in their Loop theatres. It was thought this might be done if the Palace management decided to lower prices. The only changes in the Palace price scale will be in the time limits for the various prices from opening to closing. Early-bird prices will start at 35 cents.

Dropping of stage shows at the Palace leaves the Chicago and State-Lake of the B. & K. circuit and the Oriental of the Jones, Linick & Schaefer circuit the only theatres with stage attractions in the Loop.

DeBra Speaks Today

Arthur DeBra of the community service department of the Hays office will address the National Association of Accredited Publicity Men at a luncheon today at Longchamps Restaurant, 420 Lexington Ave. DeBra's topic will be "Motion Pictures and Public Relations," with special emphasis on institutional films. The association consists of publicity directors for organizations.

Delay I.T.O. Meeting

COLUMBUS, Oct. 30.—Annual convention of the I. T. O. of Ohio will not be held in November, as has been the custom heretofore, because P. J. Wood, secretary, has spent most of his time on various state committees organized to fight taxation and other legislative measures to be voted on at the Nov. 7 election.

Dismissal Sought Of Tri-States Suit

OMAHA, Oct. 30.—R. D. Goldberg, local circuit owner, has asked dismissal of the Federal Court suit filed by Tri-State Theatres, which seeks a restraining order to keep Goldberg from opening the State, dark for many years.

Goldberg contends Tri-States is attempting to interfere with interstate commerce and to maintain a monopoly of first run theatres in Omaha.

Labor Talks Killed

AKRON, Oct. 30.—Weekly "Voice of Labor" talks, sponsored by United Rubber Workers Union, C.I.O., has been cancelled by WJW, pursuant to the new National Association of Broadcasters code. The 15-minute program was sponsored by the union and may be replaced by an open forum on labor issues.

'Cavalcade' Hub Winner With $17,000

BOSTON, Oct. 30. — "Hollywood Cavalcade" and "Nancy Drew and the Hidden Staircase" took $17,000 at the Metropolitan.

Estimated takings for the week ending Oct. 25:

"Code of the Streets" (Univ.) (4 days)
"Coast Guard" (Col.) (2nd run)
"They Asked for It" (Univ.) (1st run)
RKO KEITH BOSTON—(3,200) (25c-30c-40c). Gross, $7,500. (Average, $7,000)

"Nurse Edith Cavell" (RKO)
"The Day the Bookies Wept" (RKO)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $11,000. (Average, $14,500)

"Dust Be My Destiny" (W. B.)
"Zenobia" (U. A.)
PARAMOUNT — (1,797) (25c-35c-40c-55c) 7 days. Gross: $6,000. (Average, $7,000)

"Dust Be My Destiny" (W. B.)
"Zenobia" (U. A.)
FENWAY—(1,382) (25c-35c-40c-55c) 7 days. Gross: $4,500. (Average, $4,500)

"Hollywood Cavalcade" (20th-Fox)
"Nancy Drew and the Hidden Staircase" (W. B.)
METROPOLITAN—(4,332) (25c-35c-40c-55c) 7 days. Gross: $17,000. (Average, $14,500)

"They Shall Have Music" (U. A.)
"Dancing Co-Ed" (M-G-M)
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 7 days. Gross: $13,000. (Average, $14,500)

"They Shall Have Music" (U. A.)
"Dancing Co-ed" (M-G-M)
LOEW'S STATE—(3,000) (25s-35c-40c-55c) days. Gross: $11,000. (Average, $11,000)

"The Rains Came" (20th-Fox
"Stop, Look and Love" (20th-Fox)
SCOLLAY—(2,500) (25c-35c-40c-50c) 7 days, 2nd run. Gross, $7,000. (Average, $4,000)

Seeks Judgment Stay

OKLAHOMA CITY, Oct. 30.—Standard Theatres Corp. has applied for a stay of execution of the judgment for $1,000 won in Federal court by a patron who claimed to have fallen on a drinking fountain when he allegedly was overcome by lack of air conditioning.

Daggett Joins Selznick

HOLLYWOOD, Oct. 30.—Charles Daggett has joined the publicity department of Selznick International, headed by Don Roberts.



Give Up Wage Boost, Studios Urge I.A.T.S.E.

(Continued from page 1)

prove validity and seriousness of our problem."

Declaring that producers since have had reason to regret granting of the raise, Mannix's letter concluded with:

"Now that the world situation, conditions of our business and result of your actions have become apparent, we appeal to your sense of fairness and decency, to your interest in preserving jobs in a going industry for men you represent, to recede from your demands and to voluntarily reliquish the increase heretofore granted you, and by so doing to become a constructive force for preservation of business rather than an element that destroys it."

I.A.T.S.E. had demanded 20 per cent wage increase upon threat of pulling out projectionists in every major-controlled circuit in America.

Adamant, Bioff obtained a compromise figure of 10 per cent pay hike. Next day Mannix, in an unprecedented statement, declared that producers had been forced to meet the union's terms and that they "were not proud of their action."

Other portions of Mannix's letter to Bioff, a copy of which was sent to George E. Browne, International Alliance president, said in part:

"It was pointed out to you that all studios were engaged in a desperate effort to cut production costs; that many employes were being asked to take temporary cuts in salary to maintain their studios in operation; and that granting this increase to your group would not alone halt this attempt at economy but would be a signal for demands from every group who felt that they were just as deserving of more pay as your group. . . .

"Without regard to the fate of this business, without regard to ultimate effect on jobs of the very people you represent, you callously and with argument of threatened force, insisted on increase, you threatened everything from picketing homes of our executives to closing of our studios and motion picture theatres of America.

"Forced to choose between these threats and granting of your demands, denied decent time for development and presentation of facts and arguments to you, we yielded and granted your demands. We were not proud of that action then and subsequent events have given us even greater reason to regret it.

"Even in the short time that has now elapsed, we realize more fully the disaster which your ill-considered action must cause this industry. The foreign situation is even more threatening and difficult than at the time of our negotiations and will inevitably cut millions of dollars from moneys available for making of films.

"Granting of your demands has loosed a flood of demands from other employe groups for wage increases and changes in working conditions which collectively are impossible to grant and must mean absolute ruin."

Producers last month claimed I.A.T.S.E. wage increase would cause an annual expense to studios of approximately $5,000,000.

Hollywood Review

"Too Busy to Work"

(20th Century-Fox)

HOLLYWOOD, Oct. 30.—Aided and uproariously abetted by the agile Joan Davis, the regular Jones Family cast here runs off 65 minutes of good humored, well pointed and wholly worthwhile comedy. This time the head of the house finds his mayoral duties have so pre-empted his attention that his drugstore business is down to the danger level, his wife goes in for amateur theatricals, an angular niece arrives for a visit and a good time is had by all in the audience, none in the cast. It's well up among the best of the Jones Family series, now numbering some 15.

Miss Davis is given plenty of her particular variety of slapstickery to work with and the tempestuous finale, wherein everything that traditionally goes wrong in amateur stage plays does so, plus, was good for gales of laughter at the Hollywood preview. Jed Prouty, Spring Byington and the others share and share alike in the acting honors.

Direction by Otto Brower is brisk and pointed. The screenplay, by Robert Ellis, Helen Logan and Stanley Raub, is direct and to the point throughout. John Stone produced for Sol Wurtzel.

Running time, 65 minutes. "G."*

ROSCOE WILLIAMS.

* *"G" denotes general classification.*

Warners, National Theatres Complete Deal Negotiations

LOS ANGELES, Oct. 30.—Warners and National Theatres completed negotiations today on a deal whereby Warners' 1939-'40 lineup will play throughout the circuit.

Spyros Skouras, operating head of National Theatres, arrived here Sunday to assist in consummating the deal, which includes features and shorts.

Charles Skouras also participated in the discussions, and Carl Leserman, assistant to Gradwell L. Sears, Warner general sales manager, led the negotiations for his company.

After conclusion of the agreement, Leserman flew to San Francisco, intending to return to New York Thursday.

Before leaving, Leserman said that Warners has now sold the country's leading circuits virtually 100 per cent.

Museum Schedule Set

Museum of Modern Art has scheduled the following films for daily showing this week, in its Cycle of Seventy Films: Today, "Plane Crazy" and "The Last Command"; Wednesday, scenes from "The Jazz Singer," a Movietowne Newsreel, "All Quiet on the Western Front" and "Steamboat Willie"; Thursday, "The Love Parade"; Friday, "Little Caesar"; Saturday, "Anna Christie," and Sunday, "The March of Time" and "Cavalcade."

WGAR Libel Suit

CLEVELAND, Oct. 30.—A $100,000 libel suit has been filed here against WGAR by Max Goldstein, who was seized last year as a purse-snatching suspect by a policeman masquerading as a woman. WGAR carried a network program dramatizing the capture. Goldstein was absolved of the charges shortly thereafter and the police officer has since resigned.

Trustee, Attorney Seek Allowances For RKO Services

(Continued from page 1)

over the purchase of the Pathe studio at Culver City and a laboratory in Jersey City, N. J., will be settled at an early date by payment of $7,500 by RKO.

The Irving Trust Co. set forth services of the company from Nov. 1, 1938, through Sept. 30, 1939, and asked for $65,000 as a seventh interim allowance. Donovan requested a seventh interim allowance of $75,000 and $612 in disbursements for the same period and stated that his application did not include compensation for acting as attorney for RKO in the government's anti-trust suit against the company.

The trustee has heretofore received $192,500 and Donovan $310,000, the petition stated. Both petitions declared that consideration had been given to reduced consolidated income due to conditions attributable to the European war.

'Smith' $6,000 Hit In Oklahoma City

OKLAHOMA CITY, Oct. 30.—"Mr. Smith Goes to Washington" led with a strong $6,000 at the State. "Babes in Arms," also strong, drew $5,400 at the Criterion.

Estimated takings for the week ending Oct. 26:

"Babes in Arms" (M-G-M)
CRITERION—(1,500) (25c-35c-40c) 7 days. Gross: $5,400. (Average, $4,500)

"Angels Wash Their Faces" (W. B.)
"No Place To Go" (W. B.)
LIBERTY—(1,200) (15c-20c-25c) 7 days. Gross: $3,000. (Average, $2,400)

"All Quiet on the Western Front" (Univ.)
MIDWEST—(1,500) (25c-35c-40c) 5 days. Gross: $2,300. (Average, 7 days, $3,250)

"Hollywood Cavalcade" (20th-Fox)
PLAZA—(750) (25c-35c-40c) 7 days. Gross: $1,000. (Average, $1,100)

"Mr. Smith Goes to Washington" (Col.)
STATE — (1,100) (25c-35c-40c) 7 days. Gross: $6,000. (Average, $3,000)

"The Women" (M-G-M)
TOWER—(1,000) (25c-35c-40c) 7 days, 3rd week. Gross: $1,600. (Average, $1,750)

'Babes' Tops Frisco Field With $14,500

SAN FRANCISCO, Oct. 30.—"Babes in Arms" and "Television Spy" at the Warfield led the field with $14,500. "The Marx Brothers at the Circus" and "Fast and Furious" took $15,500 at the Fox.

Estimated takings for the week ending Oct. 24-27:

"Nurse Edith Cavell" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: Vaudeville. Gross: $13,500. (Average, $15,000)

"U-Boat 29" (Col.)
"The Man They Couldn't Hang" (Col.)
ORPHEUM — (2,440) (15c-35c-40c-55c) 7 days, 2nd week. Gross: $6.800. (Average, $8,000)

"Hollywood Cavalcade" (20th-Fox)
ST. FRANCIS—(1,400) (15c-30c-35c-40c) 7 days, 2nd week. Gross: $4,800. (Average, $6,000)

"Marx Brothers at the Circus" (M-G-M)
"Fast and Furious" (M-G-M)
FOX — (5,000) (15c-30c-35c-40c) 7 days. Gross: $15,500. (Average, $16,000)

"Jamaica Inn" (Para.)
"News Is Made At Night" (20th-Fox)
PARAMOUNT — (2,740) (15c-30c-35c-40c) 7 days. Gross: $10,000. (Average, $11,500)

"The Real Glory" (U. S.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days, 4th week. Gross: $6,200. (Average, $8,000)

"Babes in Arms" (M-G-M)
"Television Spy" (Para.)
WARFIELD — (2,680) (15c-30c-35c-40c) 7 days. Gross: $14,500. (Average, $12,000)

"Thunder of the East" (Garganoff)
CLAY—(400) (15c-35c-40c) 7 days. Gross: $700. (Average, $1,000)

"Lucrezia Borgia" (Gallic)
LARKIN — (390) (15c-35c-40c) 7 days. Gross: $1,250. (Average, $1,000)

'Hang,' Stage Show $14,500, Milwaukee

MILWAUKEE, Oct. 30.—"The Man They Could Not Hang" on the screen and Marcus' "La Vie Paree" revue on the stage, collected $14,500 at the Riverside.

Estimated takings for the week ending Oct. 25-26:

"The Real Glory" (U. A.)
"Pride of the Blue Grass" (W. B.)
WARNER—(2,400) (25c-35c-50c) 7 days. Gross: $5,300. (Average, $4,500)

"All Quiet on the Western Front" (Univ.)
"Dancing Co-Ed" (M-G-M)
PALACE—(2,400) (25c-35c-50c) 7 days. Gross: $6,000. (Average, $4,000)

"The Man They Could Not Hang" (Col.)
RIVERSIDE—(2,700) (30c-35c-40c) 7 days. Stage: "La Vie Paree." Gross: $14,500. (Average, $6,500)

"Beau Geste" (Para.)
"Honeymoon in Bali" (Para.)
STRAND—(1,400) (25c-35c-50c) 7 days. Gross: $2,000. (Average, $1,500)

"Hollywood Cavalcade" (20th-Fox)
"Adventures of Sherlock Holmes" (20th-Fox)
WISCONSIN—(3,200) (25c-35c-50c) 7 days, 2nd week. Gross: $5,500. (Average, $5,500)

'Women' Omaha Hit With Smash $9,600

OMAHA, Oct. 30.—"The Women" grossed a smash $9,600 at the Omaha.

Estimated takings for the week ending Oct. 25-26:

"Dust Be My Destiny" (W. B.)
"No Place to Go" (W. B.)
BRANDEIS—(1,200) (25c 35c-40c) 7 days. Gross: $4,800. (Average, $4,000)

"The Women" (M-G-M)
"Torchy Plays With Dynamite" (W. B.)
OMAHA—(2,200) (25c-40c) 7 days. Gross: $9,600. (Average, $6,000)

"Blackmail" (M-G-M)
"Indianapolis Speedway" (W. B.)
ORPHEUM—(3,000) (25c-40c) 7 days. Gross: $7,000. (Average, $7,600)

Fair to Close Gates Tonight; '40 Show Set

(Continued from page 1)

dition, there have been assurances that rentals will be drastically reduced for those who sign now for the 1940 season.

San Francisco Fair May Reopen in 1940

SAN FRANCISCO, Oct. 30.—The Golden Gate Exposition at Treasure Island closed last night after a nine-month run. Total attendance for the period was 10,490,391.

Possibility that the Fair will reopen in 1940 looms as the necessary funds are being sought by the 1940 Exposition, Inc. The City of San Francisco has pledged $250,000 and a potential loan from the Fair's creditors of $500,000 in addition to $750,000 which the sponsoring corporation has raised to date falls short of the $1,650,000 needed.

Alice Brady Buried; Noted as Actress

Private funeral services were held here yesterday morning for Alice A. Brady, a leading actress of the American screen and stage, who died in her sleep here Saturday night.

Services were attended by members of the family. Burial was in Sleepy Hollow Cemetery, Tarrytown.

With her at the end at the Le Roy Sanitarium were her father, William A. Brady, veteran producer, and her stepmother, Grace George, with whom she co-starred in "Mademoiselle" in 1932, her last noteworthy Broadway appearance.

Miss Brady entered films in 1914, at the age of 21, after stage appearances in Gilbert and Sullivan productions and other singing roles. She became one of the "big six" actresses of Famous Players Co., and by 1923 had been featured in 32 pictures.

After a period in which she devoted her talents to the stage, Miss Brady again went to the West Coast, where she remained the last seven years. She won the 1937 Academy award for the best supporting actress for her performance of Mrs. O'Leary in "In Old Chicago." Her last picture was "Young Mr. Lincoln," also for 20th Century-Fox.

Settle Union Strike In Wisconsin Town

WAUWATOSA, Wis., Oct. 30.—A satisfactory settlement has been reached here in the strike between Ross Baldwin, operator of the Tosa Theatre, and the projectionists' union, Local No. 164. The union picketed the theatre after it charged Baldwin had refused to adhere to a union contract. Baldwin kept the house open during the controversy by operating his own machines.

Reports are that negotiations between the union and Milwaukee County exhibitors for a new contract to replace the two-year agreement which expires Oct. 31, are progressing satisfactorily.

United Artists Set With 15 Pictures Worth $12,000,000

United Artists will deliver to exhibitors 15 pictures in the next few months which are now in various stages of completion or preparation. These films will represent a negative expenditure of $12,000,000.

With the films already released, United Artists this season will have the largest program since it was organized 20 years ago.

Two of the 15 new pictures, "The Housekeeper's Daughter" and "Over the Moon," are ready for release. Four are in final stages of editing, four are before cameras and five are in preparation and set for early production.

Final editing is being done on Alexander Korda's "Thief of Bagdad," Samuel Goldwyn's "Raffles," Walter Wanger's "City for Sale," and Hal Roach's production of John Steinbeck's "Of Mice and Men."

Before the cameras are Charlie Chaplin's tentatively designated "Production No. 6," David O. Selznick's "Rebecca," Wanger's "House Across the Bay," and Edward Small's "My Son, My Son!" based on Howard Spring's best selling novel.

Pictures in preparation and scheduled for production soon are "Our Town," Sol Lesser filmization of the Pulitzer prize-winning play by Thornton Wilder; "My Personal Life," Wanger production of Vincent Sheean's book, "Personal History"; Hal Roach's "1,000,000 B. C.," signalizing D. M. Griffith's return to the screen; "Kit Carson," a Small production, and Richard A. Rowland's production of Bess Streeter Aldrich's "Three Cheers for Miss Bishop."

Pick Co-Chairmen For Jewish Drive

David Bernstein, vice-president and treasurer of Loew's, Inc., and Albert Warner, vice-president of Warner Bros., will be co-chairmen of the Motion Pictures and Theatricals Division in the 1939 campaign of the New York and Brooklyn Federations of Jewish Charities.

Bernstein and Warner have led the drive in this division for the past five years. The first meeting of the divisional committee will be held Thursday noon at the Hotel Astor.

The combined 1939 campaign will seek to collect $7,442,000 for the 116 affiliated welfare agencies. The drive will open Nov. 12 at a dinner at the Hotel Commodore.

U. S. Eases Stand On Interrogatories

(Continued from page 1)

would take to prepare answers would delay the trial for a considerable period. No formal agreement, however, was reached.

The time allowed the defense to prepare answers or object to the interrogatories was again extended, this time to Nov. 15. Further conferences will be held before that date.

Williams will meet with Benjamin Pepper, attorney for United Artists, today to discuss the cross-interrogatories submitted by United Artists.

Weather Prophet!

Canton, Mo., had been suffering a drought. Along came "The Rains Came" and things immediately changed, as the following clipping from the Canton newspaper received by 20th Century-Fox discloses:

"Well, it remained for Louis Collins of the Canton Theatre to get the rains coming after all. He booked 'The Rains Came' for his theatre and then the rains began, although it had not rained for six weeks. We might have him look out for the weather in the future."

Embassy's Plaque Unveiled Thursday

On Thursday evening, at 6:30, a plaque commemorating the 10th anniversary of the opening of the Embassy Newsreel Theatre in Times Square, the world's first newsreel house, will be unveiled.

An invited audience is expected to include Mayor LaGuardia, W. French Githens, president of Newsreel Theatres, Inc., and Courtland Smith, who conceived the newsreel theatre idea 10 years ago, while chief of Fox Movietone News. Githens will present the only lifetime pass ever issued by the house, to Mrs. Josephine Graff, who is said never to have missed a weekly performance at the Embassy. The showing of a special film, made up from the house's first program, will be shown after the ceremonies.

Among those who have been invited are Newbold Morris, Arthur H. Sulzberger, Lowell Thomas, Laurence Rockefeller, William T. Dewart, Robert K. Straus, Graham McNamee, Walter Winchell, Mrs. Ogden Reid, Edgar Hatrick, George Ross, Captain J. M. Patterson, Truman Talley, John B. Kennedy, Heywood Broun, David Stern, Frederic Ullman, Jr., Louis Sobol, M. H. Aylesworth, Dorothy Kilgallen, Harry von Zell, Louis deRochemont and Mark Hawley.

Rites for Mrs. Fazenda

HOLLYWOOD, Oct. 30.—Funeral services will be held Wednesday at the Pierce Funeral Home for Mrs. Helda T. Fazenda, mother of Louise Fazenda (Mrs. Hal B. Wallis). Mrs. Fazenda, 81, died in Van Nuys early today following a long illness.

London Success

Paramount announces that Barney Balaban, president, has received a cable from London to the effect that "French Without Tears," produced at the Shepperton Sound City, has scored a success in its opening week at Paramount's Carlton.

Wobber on Coast

HOLLYWOOD, Oct. 30.—Herman Wobber, Twentieth Century-Fox general sales manager, arrived here today for conferences over product with Darryl F. Zanuck and William Goetz.

Emjo Basshe Dead

Funeral arrangements are being completed for Emjo Basshe, 40, playwright, director and one of the five founders of the New York Playwrights Theatre.

Buffalo Bingo Houses Face License Loss

(Continued from page 1)

scheme known as Bank Night has been passed upon by the Court of Appeals in two cases."

In one of these decisions, he added, a form of Bank Night was held illegal while in another, a different form of the game was ruled legal.

"I would advise, that in the public interest, this matter be taken up by the police with the district attorney to have a test case insituted to determine whether the state lottery laws are being violated by any exhibitor who permits Bingo to be played in his theatre," he said.

"Pending such a decision by a court of competent jurisdiction, the matter of revocability of licenses should be held in abeyance."

From this it appears that theatre games are safe at least until their legality is determined. Most profitable Bingo game being run here is one in the old Gaiety, sponsored by a combination of which one of Buffalo's former mayors is a member.

At the same time reports from nearby Rochester state that law enforcement officers of that city and Monroe County are uniting to put an end of public Bingo games of all types. District Attorney Daniel J. O'Mara said an investigation disclosed that some of them were being fraudulently conducted.

Picketing Spreads In St. Louis Spots

ST. LOUIS, Oct. 30.—The Bremen and O'Fallon, North St. Louis neighborhood houses, were being picketed today by the Motion Picture Theatre Ushers and Attendants Union.

The houses are operated by Clarence H. Kaimann, who is scheduled to be an important state witness in the extortion trial of John P. Nick on Nov. 6.

The union called a strike at the two houses on Saturday, according to Kaimann, and about 10 persons in all, including union ushers, ticket takers, cashiers and porters walked out, Kaimann said.

The theatre owner said the strike was ordered after he refused to enter into a separate agreement with the union for his employes, which would have been contrary to a decision by the labor committee of the St. Louis unit of the M.P.T.O. of St. Louis, Eastern Missouri and Southern Illinois.

Negotiations between the theatre owners and the union for blanket wage increases have been under way for two months.

St. Louis Operators Fight Picketing Suit

ST. LOUIS, Oct. 30.—Members of the operators' union, Local 143, have voted to use funds of the local to resist an effort of the St. Louis Amusement Co. and the Fanchon & Marco Service Corp. to obtain an injunction against the union. The injunction is sought to restrain picketing at the Fox and seven neighborhood houses.

Ampa to Hear Latin America Market Facts

Ampa has scheduled "Latin American day" for its luncheon meeting Thursday at Stouffer's restaurant, Fifth Ave. at 44th St.

There will be a round table discussion on the general subject, "What Is Wrong with American Methods in Latin America?" led by representative South American film men and exhibitors now in New York. Members of the film companies' foreign departments will participate in the discussion, which will deal with production, exhibition and advertising and publicity methods.

The notice issued by Ampa to its members says: "With the current world situation, more and more attention is being paid to the possibilities of Latin America as a top ranking motion picture market. Some claim that there is room or expansion; others maintain that the job is being done as well as it is possible to do it."

Ampa is sponsoring the meeting in an effort to throw additional light on the foreign sales problems resulting from the current world crisis.

Legion Approves 12 New Pictures

National Legion of Decency has approved 12 of the 13 films reviewed and classified for the current week. Only picture classified as "C" (Condemned) is "Rasputin," French film. Eight have been classified as unobjectionable for general patronage, and the remaining four unobjectionable for adults. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage: "Bad Little Angel," "Dead End Kids on Dress Parade," "Flying Deuces," "Ireland's Border Line," "Laugh It Off," "Meet Dr. Christian," "Sued for Libel," "20,000 Men a Year." Class A-2, Unobjectionable for Adults: "City of Darkness," "Heaven With a Barbed Wire Fence," "Little Accident," "North Patrol."

Hamrick Drops Reel Theatre in Seattle

SEATTLE, Oct. 30.—After a six-week "test period" on a newsreel and short subject policy, Hamrick-Evergreen's Blue Mouse here is returning to its former policy of extended first run engagements from other Evergreen theatres.

The one-hour newsreel policy at 15 cents for matinees and 25 cents at night failed to attract enough patronage to warrant its continuance in spite of the theatre's fine location. The former price scale of 25 and 40 cents will be resumed, and double features will be offered.

McCarthy Film in Work

HOLLYWOOD, Oct. 30.—"Charlie McCarthy, Detective," with Charlie as Sherlock Holmes and Edgar Bergen as Dr. Watson, has gone into production at the Universal studio, with Frank Tuttle directing. Mortimer Snerd plays the part of a small town constable.

Radio Programs

Thomas L. Thomas, Metropolitan Opera baritone, and Vicki Chase, soprano, will be heard in a concert series over NBC-Blue Thursdays at 10:30 P.M. beginning Thursday . . . "Milestones in History of Music," weekly program illustrating the development of musical compositions, returns to NBC-Red for a second season Saturday, at 12 noon . . .

Thirteen programs will shift time, Nov. 13. On NBC-Red, the new times are "Vic and Sade," 3:45 P.M.; "Road of Life," 11 A.M.; "Houseboat Hannah," 11:15 A.M.; "Against the Storm," 11:30 A.M.; and "Midstream," 5:15 P.M. All are heard Monday through Friday over NBC-Red and sponsored by Procter & Gamble.

"Lorenzo Jones" goes to 4:30 P.M. and "Young Widder Brown" goes to 4:45 P.M. Also heard on NBC-Red, these two are sponsored by Charles H. Phillips Co. On the Blue, Procter & Gamble has shifted "The Right to Happiness" to 10:15 A.M.; "Story of Mary Marlin," 10:30 A.M.; "Pepper Young's Family," 11 A.M.; "Guiding Light," 11:45 A.M.; and "Midstream," 10:45 A.M. All are heard Monday through Friday. The last one, "Jack Berch and His Boys," sponsored by Manhattan Soap Monday, Wednesday and Friday, goes to 11:45 A.M.

'Mohawk Day' to Be Set Aside in Albany

ALBANY, Oct. 30.—Mayor John Boyd Thacher of Albany has designated Nov. 2 as "Drums Along the Mohawk Day" in recognition of the world premiere of the 20th Century-Fox picture at the Palace.

Mayor Thacher asked that merchants decorate the business section, hang out their flags and "to do everything possible to make the world premiere of 'Drums Along the Mohawk' a memorable event."

Governor Herbert H. Lehman, Lieutenant Governor Charles Poletti, Mayor Thacher and Walter T. Brown, secretary to the Governor, have accepted invitations for the dinner to be given 20th Century-Fox players Arleen Whelan, Joan Davis, Lynn Bari and Arthur Shields Wednesday night.

Officials of the Schine Circuit, and Fabian Theatres, headed by Louis R. Golding, district manager, will be honored guests, while exhibitors throughout the Albany exchange territory will be in for the Ten Eyck banquet.

Radio Libel Suit

Libel suit for $250,000 damages was filed yesterday in U. S. District Court by Metropolitan Life Insurance Co. against the New Jersey Broadcasting Corp., owner of WHOM. Suit charges the defendant with broadcasting libelous statements in an Italian program on life insurance.

Pat O'Brien Cast

HOLLYWOOD, Oct. 30.—Pat O'Brien will play a leading role with Merle Oberon and George Brent in Warners' "We Shall Meet Again," directed by Edmund Goulding. It is Miss Oberon's first Warner film.

Canada Will Benefit By 3 Thanksgivings

Toronto, Oct. 30.—Canada is going to enjoy the benefit of three Thanksgiving Days this year.

First, there was the Dominion's own Fall Thanksgiving, observed as a public holiday on Oct. 9 when the theatre business hit a high mark.

Now comes the prospect of a double business impetus for Canadian theatres when the U. S. has its Thanksgiving Days on Nov. 23 and Nov. 30. This is due to the fact that, on every holiday in the States, there is a big influx of visitors into the Dominion and they go to shows, among other things. The 10 per cent premium on the U. S. dollar is expected to encourage many tourists.

Milwaukee Halls Fight Bingo Edict

MILWAUKEE, Oct. 30.—In response to an order by Chief of Police Joseph Kluchesky to the effect that Bingo must stop in public halls, managers of a number of the halls have taken steps to appeal Circuit Judge Charles L. Aarons' decision holding Bingo a public nuisance.

The Bingo ruling was handed down in action brought by Charles W. Trampe, head of Film Service, Inc., against the Bahn Frei Hall here. The police department has taken steps against public halls to discontinue the games as a result of the decision.

It is reported that managers of about six halls and representatives of several fraternal and charitable groups have raised funds and selected an attorney to fight the ban.

Radio Actors Hold Chicago Ball Nov. 10

CHICAGO, Oct. 30.—Eddie Cantor, national president A.F.R.A., will attend its annual ball Nov. 10 in the Hotel Sherman. Cantor opens an engagement at the Chicago theatre Nov. 3. Also attending the "A.F.R.A. Antics" will be Kathryn Cornell, Maurice Evans, Joe E. Brown, Francis Lederer and John Barrymore.

Virginia Payne, president of the Chicago local, is in charge of the festivities. Indications are that the affair will be a "sell out."

Reinstate Stock

Stock of Majestic Radio & Television Corp. will be reinstated for trading on the New York Curb Exchange today. Announcement was made yesterday that the purpose of the suspension on Oct. 24 was fulfilled when Majestic filed a petition for reorganization.

Contest Finals Monday

Finals in the Loew circuit's "Star Maker Talent Quest" will be held next Monday on the stage of Loew's State. Edmund Lowe and Ted Friend of the *Mirror* will be the judges. Preliminaries are being held throughout the New York circuit, with $550 in prizes being awarded.

Radio Personals

Leon Levine, assistant to the CBS director of education, goes to Columbus, O., Thursday to represent the network at an educational conference . . . J. Oren Weaver, news editor at WBBM, Chicago, speaks twice this week on "Broadcasting of Radio News." One will be before the Illinois state Conference on Tax Authority and the other the National Scholastic Press meeting . . .

Hal Tate, the "Movie Tattler," is meeting film stars at the railroad terminal in Chicago with a portable transcription outfit and later broadcasting the interviews over WJJD . . . William Hedges, NBC vice-president in charge of managed and operated stations, and Don Gilman, coast vice-president, are in San Francisco for conferences with A. E. Nelson, new manager of KPO-KGO . . . Johnny Burke has been signed for a permanent role on "National Barn Dance," heard Saturdays at 9 P.M. over NBC-Blue . . .

Prof. Lyman Bryson, conductor of CBS "People's Platform" will be in Minneapolis Friday to address the Minnesota Adult Education Conference on "Radio." He will make his regular Saturday broadcast from WCCO . . . Dr. George Gallup, director of the American Institute of Public Opinion, will lead a discussion of "Public Opinion—Fact or Fancy" during a University of Chicago "Round Table" program, Sunday, 2:30 P.M. over NBC-Red.

Two Articles Added To Sobel's Volume

Lee Strassberg and William Saroyan have contributed additional articles to "Theatre Handbook and Digest of Plays," edited by Bernard Sobel of the M-G-M home office. Crown Publishers will offer the book shortly.

The book contains information on all phases of the theatre, historical and modern, and synopses of the most important plays in history. Strassberg and Saroyan join a group of contributors including Tallulah Bankhead, Louis Bromfield, Hunt Stromberg, Howard Dietz, Brock Pemberton and many others.

Weedland Rites

Burial services will be held this morning for Albert Weedland, manager of Century Circuit's 43rd St., Queens, who died Friday. His wife, brother and child survive. Weedland had been employed by Century for about ten years.

Janssen Quits Symphony

HOLLYWOOD, Oct. 30.—Werner Janssen has resigned as head of the Baltimore Symphony Orchestra in order to devote all his time to his post as musical director for Walter Wanger, United Artists producer.

Kalmenson Back

Ben Kalmenson, Western and Southern sales manager for Warner Bros., has returned from a business trip to Chicago, Minneapolis and Pittsburgh. He was gone about ten days.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 86 NEW YORK, U. S. A., WEDNESDAY, NOVEMBER 1, 1939 TEN CENTS

Cohn Crushes Rumors About Columbia Sale

Company May Sue False Report Instigators

The following statement was issued yesterday by Harry Cohn, president of Columbia Pictures Corporation.

"Rumors recently circulated to the effect that the control of Columbia Pictures Corporation is being sold or transferred, or that negotiations are in progress for such sale or transfer, are entirely false and without any basis.

"I have not discussed, nor has any other representative of this company, held discussion of any kind with any person or persons, in or outside of the motion picture industry, in connection with the sale of Columbia stock.

"I have instructed the company's attorneys to investigate the origin of such rumors as have been published and to take such steps as they may in their judgment deem necessary."

Coast Flashes

HOLLYWOOD, Oct. 31.—William Bioff, I.A.T.S.E. leader to whom producers appealed for voluntary cancellation of the 10 per cent wage increase recently granted to Alliance studio crafts, today informed MOTION PICTURE DAILY that he might decide to ignore the plea altogether. Bioff said he was undecided on what course to take in the unusual situation.

E. J. Mannix, chairman of the producers' labor negotiating committee, yesterday beseeched the union leader to relinquish the pay increase because of a crisis facing the industry through the loss of foreign revenue.

Jay Oliver of Houston, arrived today to assume the post of chief field examiner for the local offices of the N.L.R.B., and will handle film cases still on the calendar here.

25% Rental Decided on 'Lion Has Wings'

LONDON, Oct. 31.—The British Ministry of Information disclosed today that "The Lion Has Wings," made by Alexander Korda, will be booked at a maximum of 25 per cent rental and it will not be necessary to purchase any other product in order to obtain the patriotic film of the British air force.

U. S. to Hide Identity Of Trust Witnesses

Paul Williams, special assistant U. S. attorney general, in charge of the New York anti-trust suit, conferred yesterday with Benjamin Pepper, attorney for United Artists, in reference to interrogatories which U. A. asked the Government to answer.

Although no formal agreement was reached, it was indicated that the Government is inclined to accede to the questions, but it was pointed out, however, that the Government would refuse to reveal the names of prosecution witnesses as long as defense attorneys objected to revelation of their own witnesses.

Rain Brings Bigger Broadway Grosses

Heavy rains for the past two days sent boxoffice grosses up along Broadway. Increases averaged between 10 and 15 per cent above average, it was estimated.

"Mr. Smith Goes to Washington" will be held for a third week at the Music Hall. Its second week, which ends tonight, will bring an estimated $95,000.

"Disputed Passage" was a strong attraction in its first week at the Paramount where it drew an estimated

(Continued on page 8)

Upstate Exhibitors Fight to Stop Polls Victory on Betting

BUFFALO, Oct. 31.—Exhibitors in upstate New York are conducting a last-week campaign against the proposal to legalize pari-mutuel betting which will be voted on in next Tuesday's state election.

The campaign in this area is led by the M. P. T. O. of Western New York, of which A. Charles Hayman is president. Theatre men have been informed that adoption of the proposed constitutional amendment will result in at least two dog and horse race tracks in the metropolitan Buffalo area.

In order to draw crowds, the tracks would be forced to introduce night or "twilight" racing, starting about 4:30 P. M., and would be strong competition to theatres, it is pointed out. In addition, much money would be spent

(Continued on page 2)

Latin America Facts By Ampa Speakers

Nathan D. Golden, chief of the Motion Picture Division of the U. S. Department of Commerce, will be one of the principal speakers at a forum on Latin American film operations at the Ampa luncheon meeting at Stouffer's restaurant tomorrow.

Three speakers will discuss "What Is Wrong with American Methods in

(Continued on page 3)

Agents Ratify Actors' Pact; Terms Rigid

Agreement for 4 Years; 10% Commission Fixed

HOLLYWOOD, Oct. 31.—The board of directors of the Artists Managers Guild, comprised of a representative from each of the regular members and five from associate members in a meeting ending early this morning unanimously ratified an agreement for the franchising of agents by the Screen Actors Guild. The Actors Guild board already has approved the pact.

The directors issued this statement: "It is the consensus that the agreement is going to work to the advantage of all parties concerned."

The pact, which expires Dec. 31, 1943, limits commissions of agents to 10 per cent, provides for arbitration of all agent-client disputes, and establishes rigid control of the entire agency situation involving the disciplining and fining of violators.

One of the contract's principal features is the prohibition of participation in a talent agency by any person engaged in production, distribution or exhibition.

Under terms of the agreement, the Actors Guild immediately upon ap-

(Continued on page 3)

Farnsworth Named Paul Williams' Aide

WASHINGTON, Oct. 31.—William P. Farnsworth, formerly Deputy NRA Administrator of the Motion Picture Code and later with the Federal Theatre Project, has been appointed a special attorney in the anti-trust division of the Department of Justice.

Farnsworth will assist Paul Williams, special assistant to the Attorney General, in the handling of the Government's motion picture cases, it was said.

Court Decides RKO Allowances Nov. 10

Federal Judge Bondy yesterday fixed Nov. 10 as date of hearing upon petitions filed by the Irving Trust Co., as trustee of RKO, William J. Donovan, attorney for trustee, and Price, Waterhouse Co. for interim allowances in the RKO proceedings. The Irving Trust asks for $65,000, Donovan $75,000 and Price, Waterhouse requests $4,800.

Hays Office Stays Neutral Upon War-Inspired Films

Hays office is pursuing a policy of neutrality on war pictures. Since the start of the European war it has been besieged by church and peace groups and individuals who complain against films with a martial theme.

Pictures objected to specifically are M-G-M's "Thunder Afloat," RKO's "Nurse Edith Cavell" and "U-Boat 29," Columbia film made in England.

The complaints to Hays call these pictures "war mongering." The replies in each instance have contained the fact that these pictures were made or started before the outbreak of war and are not calculated to inflame American opinion or get us into war.

The Hays office reports that no complaints have been received on Warners' "Confessions of a Nazi Spy," because it was released in advance of the start of the war.

Because of the mounting protests, the Hays office is sticking closely to the provision of the Production Code covering national feelings. This clause says: "The history, institutions, prominent people and citizenry of other nations shall be represented fairly."

The title "Hitler, Beast of Berlin" has been refused clearance by the Hays office title committee as being inflammatory. Since the title was rejected, the film therefore could not come to the attention of the Production Code Administration for a seal.

When Ben Judell, president of Producers Pictures Corp., first planned production of the anti-Hitler picture, it was submitted to the Hays office in script form under the title "Goose Step" and was approved as in line with code provisions.

Drive Against Legal Betting In Upper N.Y.

(*Continued from page* 1)

at the tracks which ordinarily would go to film houses.

The exhibitors' campaign includes assignment of speakers to meetings of church organizations and women's clubs. Theatres are running trailers asking the public to vote "No" on the amendment, and many are distributing leaflets to patrons explaining why the amendment should be defeated.

No Organized Opposition In New York City

Circuit heads and independent exhibitors in New York City have met on the pari-mutuel situation, but no organized action has been taken.

Expectations are that if the amendment is adopted, tracks will be established in Westchester and Nassau Counties, as well as near Buffalo, Albany, Batavia, Syracuse, Elmira and Rochester.

If the amendment is adopted, it would take at least five years to repeal it. The State will derive revenue from pari-mutuel operations, while admission to the tracks would be lowered.

The amendment covers horse racing only, but theatre men believe that dog racing would be included later. Dog racing is a night sport. This competition would be in addition to night baseball and football.

Purely Personal

DR. and MRS. A. H. GIANNINI will leave tomorrow for the Coast.

•

MRS. DAVID E. ROSE, wife of the managing director of Paramount production in England, and baby arrive from England today on the *Washington*. ROSE is remaining in London.

•

PAUL VINCENT CAROLL, playwright, arrives from Europe on the *Washington* tonight. Also RAYA GARBOUSOVA, cellist who is with the National Broadcasting Co.

•

JULIUS HABER of the publicity department of RCA Manufacturing Co., Inc., and MRS. HABER are the parents of a 10-pound boy.

•

ALEJANDRO D'EMPAIRE, co-owner of Selecciones Multicolor, Venezuelan distributors of French and Spanish pictures, is in town.

•

CHARLOTTE RESNICK, contract clerk at Warner Bros. New York exchange, is at home with the grippe.

•

RAFAEL ARZOZ, Monogram distributor in Mexico, leaves for Mexico City Saturday.

•

CARLOS EZQUERRO, general manager of Distribución California, distributors of Republic's serials in Mexico, is in town.

•

R. M. SAVINI, president of Astor Pictures Corp., has left for the Coast to stay about a week.

JOSEPH M. SCHENCK, board chairman of 20th Century-Fox, plans to leave for the coast Friday. He will be accompanied by A. C. BLUMENTHAL.

•

DR. A. H. GIANNINI, THOMAS WALKER, LEONARD GOLDENSON, I. E. LOPERT, SIDNEY KINGSLEY, MARTIN BECK, PHIL BAKER, SI FABIAN, GEORGE DEMBOW, BEN GLAZER and LIONEL STANDER at Sardi's for lunch yesterday.

•

AL BARABAS, assistant booker at the Warner New York exchange, who was discharged recently from the Medical Center, Jersey City, has returned to the hospital for additional treatment.

•

CLARENCE APGAR, Hollywood Theatre, Detroit, and WADE E. ALLEN, Fine Arts Theatre, same city, are returning to Detroit on the yacht *Tamarack* after a visit here.

•

LOUIS ROSENBLOOM, Montreal exhibitor, has been here for the World's Fair. Also, J. H. RANKIN, Bridgeville, Pa., and ARCHER INGE and GEORGE SEAY of Blackstone, Va.

•

SAM BURGER, M-G-M foreign department representative, has arrived in Puerto Rico on the first leg of an extended South American tour.

•

HARRY COHN, JACK COHN, HARRY BRANDT, NAT SPINGOLD and J. J. MILSTEIN lunching at the 51st St. Lindy's yesterday.

•

HAL HODE, Columbia Pictures executive, last night addressed the faculty and students of the class on motion pictures of Hunter College.

•

DON CAMERON, Altec engineer, of Colorado Springs, Col., and MRS. CAMERON announce the birth of an eight-pound daughter.

•

CHARLEY MIDGLEY of the Ritz, Oakland, Cal., has been visiting here with his mother, MRS. JOSIE MIDGLEY.

•

A. L. FAHRENHOLZ of Columbia's Buffalo branch celebrates a birthday today.

•

HENRY KOSTER, Universal producer, leaves the Coast by plane tonight for a vacation here.

100 Friends Honor Mills At Luncheon

ALBANY, Oct. 31.—Bernard Mills, former local Republic manager, was feted by 100 industry friends at lunch at the Ten Eyck here yesterday. Mills, now associated with Jack Berkowitz, was presented a wrist watch by Bernard G. Kranze, RKO manager, who served as toastmaster.

Rabbi Solomon Goldfarb, the Reverend William R. Charles and Brother Charles, all of Albany, wished Mills success. Other speakers included M. A. Silver, Warner zone manager; Louis R. Golding, Fabian district manager, and Jack Berkowitz, Buffalo, while congratulatory wires were received from Meyer Schine, Simon R. Fabian, Harry Thomas and James R. Grainger.

Exhibitors present included:

Morris Silverman, Mount Pleasant, Schenectady; George Lynch, Lou Goldstein and Seth Field, Schine Circuit, Gloversville; Stephen Tarbell, Smalley Circuit, Cooperstown; William Benton and Frank Williams, Benton Circuit; Ben Smith, Vic Burns, Watertown; Charles Wilson, Troy; Abe Stone, Albany; Clarence Dopp, Johnstown; Neil Hellman, Albany; John Gardner, Schenectady; Sam Milberg, Scotia; J. A. LaBelle, Watervliet; Al Feltman, Schenectary; Henry Frieder and Henry Grossman, Hudson.

Industry representatives present were:

Frank J. A. McCarthy, Joseph Engel, George Jeffries, Al Machetti and Tony Ryan, Universal; Charles Smakwitz, M. A. Silver, Max Freedman, Jules Curley, Joseph Weinstein and Leo Rosen, Warners; Clayton Eastman, Welden Waters, Richard Hayes and William Sharp, Paramount; William Murray, Grand National; Arthur Newman, Phil Cooper, Thomas Carroll and Fred Duffy, Republic; Bernard Kranze, Leon Herman, R. J. Tucker, RKO; Joseph Miller, Jack Armm, Ed Hochstim and Morris Cohen, Columbia; M. M. Grassgreen, Fred Slider, Ben Dare and Dan Houlihan, 20th Century-Fox; Paul Krumenacker, George Goldberg and Richard Struwe, Warners; Ralph Pielow, Arthur Horan, Gene Vogel, William Williams, Ralph Rivos and Sidney Stockton, M-G-M; Otis Williams, National Theatre Supply; Harry Rabinowitz and Jay Bylancik, Theatre Display Co., and Harry Berkson, Mitchell Pantzer and Gene Lowe, Monogram.

Dr. Karl Fischel Dead

SARANAC LAKE, Oct. 31.—Dr. Karl Fischel, 62, medical superintendent of the Will Rogers Memorial Hospital, is dead here. He was appointed to the post in 1934 when it was the National Variety Artists Sanitorium.

M'Carthy to Coast To Plan Releases

Charles E. McCarthy, director of advertising and publicity for 20th Century-Fox, and Louis Shanfield, art director, leave for the Coast tonight by plane.

They will plan campaigns on forthcoming releases, including "Daytime Wife," "Blue Bird" and "Swanee River." They will return in about a week.

$100,000 Buys World Theatre at Auction

The World theatre, W. 49th St., formerly known as the Charles Hopkins, was sold for $100,000 at auction in a foreclosure sale at the Vesey St. salesrooms. City Bank-Farmers Trust Co., as trustee, plaintiff in the action, made the purchase.



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OVERNIGHT TO CALIFORNIA

Via

The Southern Sunshine Route

NOW! 4 FLIGHTS DAILY!

Leave NEW YORK	Arrive LOS ANGELES
7:15 a.m.....	1:25 a.m.
5:10 p.m.....	8:34 a.m. Skysleeper
5:50 p.m.....	10:58 a.m. Skysleeper
10:35 p.m.....	3:05 p.m. Skysleeper

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AMERICAN AIRLINES Inc.

ROUTE OF THE FLAGSHIPS

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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Agents Ratify Actors' Pact; Terms Rigid

(Continued from page 1)

plication, will grant frachises to agents who are now members of the Actors Managers Guild. The latter group agrees not to adopt a "closed shop" for managerial endeavors.

Members of the Actors Guild are barred from using agents who are not franchised by the Guild. However, the measure is not retroactive from Sept. 18, 1938.

Other provisions of the agreement include:

Nothing in the pact shall be construed to abridge or limit any rights, powers, or duties which state or federal authorities have or may have.

The joint consent of the Actors Guild and the Artists Managers Guild is needed for amendments.

May Grant Waivers

The Actors Guild may grant waivers to agents, excusing compliance with terms of the basic contract.

The period from Oct. 15 to Dec. 1, 1939, is fixed as the application period.

The Actors Guild must notify the Artists Managers Guild of its refusal to grant franchises to certain applicants who shall have the privilege of arbitration on eligibility qualifications.

If a minor attempts to disaffirm an agency contract by reason of the fact that it was signed during the minor's minority, the Actors Guild agrees to consider such conduct on the part of the minor as conduct unbecoming to a member and is subject to penalties and discipline. The Screen Actors Guild will negotiate with Artists Managers Guild any time after July 1, 1942, with reference to extending the term of this agreement or of making a new one.

Arbiters to Decide Protests

If lower maximum commissions are sought by the Actors Guild, and the Artists Managers Guild protests, the matter is then up to the arbiters.

The actor or agent has the right to terminate the contract if the actor fails to receive 18 days' pay for work performed in the preceding 120 days.

Agency contracts are not assignable by either party.

Agents agree to use all reasonable efforts to assist the actor.

Agents or aides must be available at all reasonable times.

No agents shall receive directly or indirectly any remuneration, consideration, gift, gratuity or other thing of value from any producer.

Agents may collect commissions when representing as an agent an executive or other employe-producer or when representing a producer as his agent.

Punishment Described

Agents and subagents are subject to a fine not exceeding $5,000 or to suspension or revocation of franchise for the following: Employment of any person as subagent who does not hold the proper franchise; failure to pay over to the actor all moneys belonging to the actor, sharing of commissions, fees, earnings, or proceeds in violation of these regulations, engaging in or being interested in production, distribution, or exhibition of motion pictures, willful and intentional failure to comply with the terms of award by arbitration tribunal, theft, embezzlement, misappropriation of funds, forgery, fraud, or dishonest conduct, charging or contracting to charge in excess of 10 per cent commissions.

Paying of "double commissions," i.e., contracting to pay total commissions amounting to more than 10 per cent to two or more agencies, is banned.

If the agent is barred from a studio, he may elect to name another agent with his client's approval to handle an actor for that particular lot.

Franchise fees range from $50 to $2,500 annually, depending upon the agency's gross.

Seven RKO Films Worth $7,500,000 Ready for Release

Seven major films valued at $7,500,000 are ready for release and four other top-bracket pictures will go before the cameras soon, Ned E. Depinet, RKO vice-president in charge of distribution, announced yesterday after his return from the Coast.

The seven completed pictures include "The Hunchback of Notre Dame," "Abe Lincoln of Illinois" and Walt Disney's "Pinocchio," with "The Hunchback" being the first to be released beginning Dec. 29. "Pinocchio" will be released in February and "Abe Lincoln" probably in March.

The four other finished pictures are "Allegheny Uprising," Kay Kyser's "That's Right, You're Wrong," "Swiss Family Robinson" and "Vigil in the Night."

RKO will start early production of Gregory LaCava's "Primrose Path," Welles' "Heart of Darkness," Herbert Wilcox's "Irene" and Leo McCarey's "My Favorite Wife."

Protection Assured For Trade in Britain

LONDON, Oct. 31.—Oliver Stanley, president of the British Board of Trade, under questioning in the House of Commons today, reiterated his earlier promises that there will be no changes in the British Quota Act without previous consultation with industry interests. He also gave assurances that British production interests would be protected.

The Cinematograph Exhibitors Association will discuss the problem of a product shortage at a special executive meeting next Tuesday. Particular reference will be made to the possibility of cooperative production and the abolition of the six-month booking period.

Budd Rogers Sets 2 Franchise Deals

Budd Rogers, vice-president and general manager of Alliance Films, has signed two new franchise deals for the distribution of the 12 films on the Alliance program for 1939-'40.

Special Attractions will handle the product in the Chicago and St. Louis territories and B. W. Silver of Colonial Pictures, Ltd., whose headquarters are in Toronto, will release the pictures in Canada, Newfoundland and the Maritime Provinces.

Music Hall Display Features Snapshots

Prize-winning snapshots of the Fifth Annual Newspaper National Snapshots Awards will be on display in the grand lounge of the Music Hall, beginning tomorow. The display will be opened officially by William H. Jackson, 96, oldest living photographer.

The display will be sponsored by the New York *Herald-Tribune*, one of the contributing newspapers. Editors of the leading camera and picture magazines are expected at the opening, as well as William H. Zerbe, known as the dean of American news photographers.

'Mohawk' Premiere Fetes in Upper N.Y.

ALBANY, Oct. 31.—Two days of Mohawk Valley celebration will be culminated Thursday with the premiere of 20th Century-Fox's "Drums Along the Mohawk" here and in four other New York State towns, Utica, Amsterdam, Schenectady and Gloversville.

In each town, a series of civic events, including official receptions, press luncheons and dinners are scheduled. Jane Withers, Lynn Bari, Joan Davis, Arleen Whelan and Arthur Shields, in from Hollywood for the five-way premiere, will make personal appearances.

Rodney Bush, exploitation manager, will arrive here from the home office tomorrow morning, to arrange final details for the dinner in Albany tomorrow night.

Among those expected at the dinner at the Ten Eyck Hotel are:

Mr. and Mrs. Simon Fabian, Mr. and Mrs. Louis R. Golding, Mr. and Mrs. Alex Sayles, Mr. and Mrs. Sol Ullman, Mr. and Mrs. Larry Cowan, Mr. and Mrs. Moe Silver, Mr. and Mrs. Max Freidman, Mr. and Mrs. Charles Smakwitz, Mr. and Mrs. William Benton, Mr. and Mrs. Henry Grossman, Mr. and Mrs. Henry Frieder, Mr. and Mrs. J. Meyer Schine, Mr. and Mrs. Louis Schine, William C. Smalley, Mr. and Mrs. Abe Stone, Mr. and Mrs. Harry Hellman, Mr. and Mrs. Neil Hellman, Mr. and Mrs. Christopher Buckley, Mayor John Boyd Thacher, Major and Mrs. J. D. Warner, Mr. and Mrs. Walter T. Brown.

'Allegheny' to Get Big Air Coverage

PITTSBURGH, Oct. 31.—Five radio stations here will combine to cover the premiere of RKO's "Allegheny Uprising," at the Loew's Penn Nov. 3. KDKA will carry a 30-minute program from the stage of the Penn, with Claire Trevor and Mayor Cornelius D. Scully featured. This program will be carried over the NBC-Blue network.

In addition, KDKA will air the arrival of celebrities on Nov. 2; a press interview at the William Penn Hotel; a description of the dress parade Friday; and will provide seven minutes daily for six days in a feature.

WJAS will carry an interview of Miss Trevor Friday and WWSW will broadcast from the lobby for 15 minutes before and after the premiere.

Extra Equity Payment

Actors Equity voted yesterday to continue making the extra four cents per capita payment for an additional six months to the 4-A, its parent body.

Ampa Will Get Latin America Market Facts

(Continued from page 1)

Latin America?" Leading the discussion will be Rene Borgia, noted South American writer, who served for five years with Columbia on the Coast as a scenarist and director of South American films. He also produced newsreels in Venezuela. Borgia recently returned from a tour of Latin America during which he studied film conditions.

Also participating will be Eddie Le Baron, president of Eduardo Le Baron Productions, which produces Spanish language films, and formerly with Fox Film Corp. on the Coast. A third speaker will be Roberto Socas, South American newspaperman and film critic.

Ampa is sponsoring this special Latin American meeting in cooperation with *Teatro al Dia*, the Quigley Spanish publication.

'Roaring Twenties' Radio Plugs Fixed

Warners has arranged radio exploitation over seven nationwide network programs for "The Roaring Twenties," forthcoming James Cagney release. Included are interviews, script dramatizations and song plugs.

There will be two programs tomorrow night. On the "Strange as It Seems" show on CBS, at 8:30 o'clock, there will be a dramatization of the picture's highlights. Mark Hellinger, associate producer and author of the film, will be interviewed on NBC's Bing Crosby hour, 10 to 11 P. M.

Kate Smith Hour, CBS, will publicize the picture Nov. 10, 8 to 9 P. M., besides plugs over Miss Smith's 10 daytime broadcasts during the same week.

John Messner will dedicate a cavalcade of "Roaring Twenties" songs to Hellinger on his NBC program within the next 10 days. Also undated is the Lux Radio Hour over CBS, which will feature on interview with Hellinger. This will also be carried in Canada.

Blumberg to Make Coast Trip Nov. 23

Nate Blumberg, president of Universal, will go to California shortly after Thanksgiving Day, Nov. 23, on company business. He is expected to remain on the Coast for about two weeks. In Hollywood he will confer with Cliff Work and Matthew Fox, studio chieftains.

Televise Tonight's Fight

Mike Jacobs, boxing impressario, having relented, NBC will be permitted to televise the Tony Canzoneri-Al Davis bout from Madison Square Garden tonight.

I.T.P.A. Elects Today

MILWAUEE, Oct. 31.—Rejuvenation of the I.T.P.A. of Wisconsin is expected following the election of officers and directors tomorrow. Several hundred exhibitors are attending.



The "impossible" attained! Everything 'The Old Maid' was, welded with all the fire of 'Robin Hood'! Truly a matchless motion picture.

World Premiere

BEGINNING AT THE BOYD THEATRE, PHILADELPHIA, AN ALMIGHTY NEW PEAK FOR THE POWER OF THE PRODUCT OF WARNER BROS.



BETTE DAVIS ♔ ERROL FLYNN

In the secret romance of the Virgin Queen

THE PRIVATE LIVES OF ELIZABETH and ESSEX"



IN TECHNICOLOR

with

OLIVIA de HAVILLAND

DONALD CRISP • VINCENT PRICE • ALAN HALE • HENRY STEPHENSON

Directed by MICHAEL CURTIZ

Screen Play by Norman Reilly Raine and Aeneas MacKenzie • Based on the Stage Play by Maxwell Anderson • Produced by Theatre Guild, Inc. • Music by Erich Wolfgang Korngold

A Warner Bros.—First National Picture

PITTSBURGH



ALLEGHENY

S ALL EXCITED!

They're staging the monster Allegheny Centennial Celebration this week—and the crowning climax of it all is the *WORLD PREMIERE FRIDAY AT THE PENN THEATRE* of RKO RADIO'S mighty drama of Pennsylvania's pioneer days!...Enthusiasm running riot!...Radio, press, pageant, meetings, dinners, dedications—all tied up to the big show!... Climb aboard the tidal wave of exploitation . . . Get ready for your *SPECIAL OF ALL SPECIAL ACTION SHOWS!*

UPRISING

Starring

CLAIRE TREVOR • JOHN WAYNE

with

GEORGE SANDERS • BRIAN DONLEVY
WILFRID LAWSON • ROBERT BARRAT • JOHN F. HAMILTON • MORONI OLSEN • EDDIE QUILLAN

PRODUCED BY P. J. WOLFSON • DIRECTED BY WILLIAM A. SEITER
PANDRO S. BERMAN IN CHARGE OF PRODUCTION
Screen Play by P. J. Wolfson

RKO RADIO PICTURES

Ticket Sellers Dispute Guilt; Code Expires

Fifteen ticket brokers and owners of two theatres, Winter Garden and the Alvin, were called upon by the League of New York Theatres to answer charges of violating the ticket code at a hearing held yesterday by the grievance committee.

The ticket brokers baffled the committee by pointing out that there is nothing in the code to prevent their purchase from unaccredited brokers, although theatres are not supposed to sell tickets to such unaccredited brokers.

In the case of the Alvin, Norman Pincus, owner, declared that George White, the lessee, has complete charge of tickets at the house. White is not a member of the League. The defense of the Shuberts who operate the Winter Garden was not disclosed.

While the grievance committee was meeting, the council of Actors Equity instructed a sub-committee to make a counter proposal to amendments offered by the League for this season's code. The sub-committee meets at 11 A. M. today.

In view of the expiration of the ticket code at midnight last night, the council requested the League to extend the present code to Nov. 15.

Morin Acting Chief Of CBC Governors

MONTREAL, Oct. 31.—Rene Morin, of Montreal, vice-chairman of the board of governors of the Canadian Broadcasting Corp., will be acting chairman of that body for an indefinite period, it was learned today.

The government, it is understood, does not plan to make any early appointment to the chairmanship of the board to replace L. W. Brockington of Winnipeg, whose retirement as governor is effective tomorrow.

Morin, whose term as governor expires tomorrow, is being re-appointed. It is expected that Mrs. Nellie McClung of Victoria, B. C., will also be re-appointed.

Roosevelt Cancels Address in Chicago

HOLLYWOOD, Oct. 31.—James Roosevelt, vice-president of Samuel Goldwyn, Inc., will leave here by plane tomorrow for New York on company business, to be gone probably for three weeks. His departure necessitated the cancellation of his plans to speak at the Jewish Relief meeting at the Sinai Temple, Chicago, Nov. 13, on "Motion Pictures—Propaganda or Entertainment."

CBS Plans New N. Y. High-Power Station

WASHINGTON, Oct. 31.—CBS has filed an application with the F.C.C. for permission to construct an experimental high frequency station in the Chrysler Building, New York City. The broadcasting will be done on the method developed by Maj. Edward H. Armstrong. Application is for a 50,000-watt station to operate on 43,000 kilocycles.

Fingerprinted

David Lewis, M-G-M manager in Argentina, submitted to fingerprinting and other formalities at police headquarters here yesterday. He plans to leave for his territory next weekend. Unless he obtains clearance papers from American police, he might be held as a suspect by some countries in South America, which require such papers.

Rain Brings Bigger Broadway Grosses

(*Continued from page 1*)

$50,000. It holds over. "Jamaica Inn," at the Rivoli, also continued strong and holds for a fourth week. It drew an estimated $19,000 in the third stanza. At the Astor, "Goodbye, Mr. Chips" brought an estimated $6,000 in its 24th week at the Astor.

Joan Blondell will make a guest appearance today at the Paramount stage show, where she will appear for two performances.

Neville Miller Head of Broadcast Music

Neville Miller, president of National Association of Broadcasters, was named president of the newly-organized Broadcast Music, Inc., at the first meeting of the corporation's board of directors at Ritz Towers yesterday. Everett Revercomb, N.A.B. auditor, was elected secretary-treasurer.

The directors approved a registration prospectus which will be submitted to the Securities and Exchange Commission for approval. Distribution of stock may start within a week.

Broadcast Music was organized to develop music for radio broadcasters from sources other than the American Society of Authors, Composers and Publishers.

'Birth of Nation' Case

Epoch Producing Corp. and Thomas Dixon won their court battle to restrain exhibition of "The Birth of a Nation" without their permission when Federal Judge Coxe yesterday, after trial, ruled in their favor against Treo Film Exchange of N. Y., Inc., Major Film Exchange, Inc., Stone Film Library, Inc., Marion T. Stone and David M. Sohmer. Dixon is author of the novel "The Clansman" upon which the film is based and Epoch claims exclusive distribution rights. During trial Skouras Theatres Corp., Esquire Amusement Corp. and Max A. Cohen, other defendants, agreed to settlement.

Girl Wins $8,000

Rose Kaplan, assistant booker at the 20th Century-Fox New York exchange, yesterday received a check for $8,000, first grand prize in a sweepstakes contest. Despite her suddenly-acquired wealth, she will stay on her job, she said.

'Information Please'

Canada Dry ginger ale has renewed "Information Please" over the NBC Blue network for another year, effective Nov. 14.

Newsreel Parade

Queen Mary and Queen Elizabeth visiting hospitals in England, Queen Wilhemina reviewing troops, and Royal Air Force ports in France are war clips included in the new issues. Array of less important events here and major football games round out the issues. The reels and their contents follow:

MOVIETONE NEWS, No. 15—German fleet at sea. Byrd's snow cruiser in Ohio. Artillery practice in Virginia. Queen Mary at British hospital. Fashions. Ducks swarm California lake. Football: Fordham vs. Pittsburgh, Cornell vs. Ohio State.

NEWS OF THE DAY, No. 213—Royal Air Force in France. Queen Elizabeth visits hospital train. Queen Wilhelmina reviews troops. Byrd's snow cruiser crashes. Endurance fliers set record. Football: Cornell vs. Ohio State, Fordham vs. Pittsburgh, World's Fair and Frisco Fair close.

PARAMOUNT NEWS, No. 18—California exposition closes, final days of World's Fair. Cruiser for Antarctic expedition crashes. Finns study Russia's demands, send troops to border. Football: Cornell vs. Ohio State, Notre Dame vs. Carnegie Tech, Northwestern vs. Illinois, Michigan vs. Yale.

RKO PATHE NEWS, No. 30—Royal Air Force bases in France. England's Queen at hospital. Wilhelmina inspects troops. Test snow cruiser. British troops from Australia. Set endurance flight record in California. Football: Notre Dame vs. Carnegie Tech, Southern California vs. California, Cornell vs. Ohio State.

UNIVERSAL NEWSREEL, No. 819—British airports in France. Parade at World's Fair. Fliers set endurance record. Byrd's snow cruiser crashes. Snow dogs trained at New Hampshire. Football: Notre Dame vs. Carnegie Tech, Fordham vs. Pittsburgh, Cornell vs. Ohio State.

Films for British Troops Assured

LONDON, Oct. 31.—First steps were taken today towards the formation of a new trade body to control the supply of films to troops. Sir Adrian Baillie, chairman of the organization, was present at today's meeting of the Cinematograph Exhibitors Association, and was elected to the council.

The Kinematograph Renters Society is expected to cooperate in the supply of films. American companies are supporting the plan.

Glenn Miller Hits $31,200, Philadelphia

PHILADELPHIA, Oct. 31.—Glenn Miller and his orchestra on the Earle stage, with "Pack Up Your Troubles" on the screen, nearly tied the theatre's record with $31,200. "Marx Brothers at the Circus" drew $16,000 at the Stanley.

Estimated takings for the week ending Oct. 26:

"Eternally Yours" (U. A.)
ALDINE — (1,700) (32c-42c-57c) 7 days; 2nd week. Gross: $7,100. (Average, $8,000)

"The Women" (M-G-M)
ARCADIA—(600) (32c-42c-57c) 7 days, 2nd week, 2nd run. Gross: $3,800. (Average, $2,600)

"Babes in Arms" (M-G-M)
BOYD—(2,400) (32c-42c-57c) 7 days, 3rd week. Gross: $13,500. (Average, $10,000)

"Pack Up Your Troubles" (20th-Fox)
EARLE—(2,400) (32c-42c-57c-68c) 6 days (closed Sunday). Stage: Glenn Miller and his orchestra headed the bill. Gross: $31,200. (Average, $16,000)

"On Your Toes" (W. B.)
FOX—(3,000) (32c-42c-57c) 7 days. Gross: $15,700. (Average, $13,000)

"Beau Geste" (Para.)
KARLTON—(1,000) (32c-42c-57c) 7 days. 3rd run. Gross: $3,800. (Average, $3,000)

"Hollywood Cavalcade" (20th-Fox)
KEITH'S—(2,200) (32c-42c-57c) 7 days, 2nd run. Gross: $4,900. (Average, $3,000)

"Marx Brothers at the Circus" (M-G-M)
STANLEY—(3,700) (32c-42c-57c) 7 days. Gross: $16,000. (Average, $14,000)

"Thunder Afloat" (M-G-M)
STANTON—(1,700) (26c-32c-42c) 7 days. 2nd run. Gross: $6,400. (Average, $4,500)

Halts More RCA Suits

Further stockholders' suits against RCA were stayed yesterday by N. Y. Supreme Court Justice Levy pending final determination of five consolidated suits which will be tried in the near future. Suits claim mismanagement and waste against RCA officers and directors.

Signs Standard Deal

Gene Marcus, vice-president of Allied Pictures, Inc., Philadelphia, has signed a franchise with Standard Pictures. George Trainer, general manager of Standard, concluded the franchise agreement with Marcus.



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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 87 NEW YORK, U. S. A., THURSDAY, NOVEMBER 2, 1939 TEN CENTS

Allied of N.Y. Eager to Get Code in State

Committee Is Appointed; Games Action Voted

SYRACUSE, Nov. 1.—New York Allied, at a statewide meeting here today, decided to revive efforts to obtain a trade practice code for New York State.

The move is an alternative to rejection of the proposed national code by the Department of Justice. A committee was appointed by Max A. Cohen, president, to conduct negotiations with the distributors. If necessary, the committee will seek a conference with Thurman Arnold, assistant to the U. S. Attorney General, who recently banned the proposed national code.

The committee consists of Ray Pashley, Interlaken; Mitchel Conery, Ravena; Sidney L. Grossman, Syracuse; Rapley P. Merriman, Syracuse;

(*Continued on page 7*)

Paramount Officials In Fatal Auto Crash

E. Paul Phillips of the Paramount theatre operations department was instantly killed in an automobile accident yesterday near Wauseca, Minn., the home office was advised.

Other occupants of the car, Charles Burton, Paramount engineering and construction department official, and L. J. Ludwig of the Minnesota Theatre Corp., Paramount affiliate, were taken to Wauseca Hospital. Ludwig suffered a possible skull fracture.

The three men were driving from Minneapolis to Sioux Falls, S. D., on business.

Republic Buys Out Rifkin Franchises

The interest of Herman Rifkin in the Boston and New Haven branch exchanges has been purchased by Republic Pictures Corp., it was announced yesterday by James R. Grainger, Republic president.

A Republic franchise holder in the New England territory since the inception of the company, Rifkin will devote his entire time to his theatre interests.

Republic now operates seven exchanges. Recently it took over franchises covering San Francisco, Los Angeles, Detroit, Buffalo and Albany.

Fourth U.S. Radio Network Formed; 100 Stations Join

CHICAGO, Nov. 1.—Organization of the fourth national radio network was effected here today with the election of officers and an announcement that the network will start operations within 45 days.

John T. Adams, of Forth Worth, vice-president of Elliott Roosevelt's Texas State network, was elected president. Elliott Roosevelt said here tonight that he had no connection with the new company which will be known as Transcontinental Broadcasting System, Inc.

Roosevelt said that Adams had been "loaned" to head TBS and will open offices in New York.

Lester E. Cox, Springfield, Mo.;

(*Continued on page 8*)

Bondy Grants New Delay in RKO Case

George J. Schaefer's presence on the Coast caused Federal Judge Bondy yesterday to grant a further adjournment of hearings on the RKO reorganization proceedings to Dec. 5.

RKO directors will be unable to study a new proposed agreement of underwriting offered by Atlas Corp., proponent of the plan of reorganization, until Schaefer returns on Nov. 15, Richard Jones, of Simpson, Thacher & Bartlett, attorneys for Atlas, told the court.

Judge Bondy defended Atlas and RKO directors when minority group representatives launched an attack

(*Continued on page 2*)

Bronx Cheer Legal

The Bronx cheer is legal in a theatre!

Magistrate Masterson of Yorkville court upheld the Bronx cheer yesterday in dismissing a disorderly conduct case.

A patron, annoyed by two women who talked out loud and made discomforting noise during a show, gave them the Bronx cheer. They had him arrested. Magistrate Masterson defended the patron's right to deliver the said cheer.

Warner Releases Set for 5 Months; Record Claimed

Warners have set releases five months in advance. This is a precedent in the industry, said Jack L. Warner, vice-president in charge of production, who left yesterday for the Coast after New York conferences.

In November the company will release "The Roaring Twenties," "We Are Not Alone," "The Private Lives of Elizabeth and Essex," "The Dead End Kids on Dress Parade."

Set for December are "Four Wives," "A Child Is Born," "The Return of Dr. X."

The January schedule includes "Invisible Stripes," "Brother Rat and a Baby," "Story of Dr. Ehrlich"; February, "The Fighting 69th," "Years Without Days"; March, "We Shall Meet Again" and "Virginia City."

Union Chiefs' Views Clash Over Wage Cut Demand

HOLLYWOOD, Nov. 1.—Labor leaders expressed mixed reactions to the producers' request that the I.A.T.S.E. relinquish its 10 per cent increase. Some voiced a belief that the request was a "smoke screen" for events to come, and others declared that it was an effort to forestall demands for wage increases.

Frank Carothers, secretary of the Basic Agreement Committee for musicians', carpenters', teamsters' and electricians' international unions, declared that demands for wage increases and better working conditions would be made at the New Jersey conferences Dec. 5 and that the communication to the I.A.T.S.E. would be ignored. The I.A. is not a party to the basic agreement.

Herbert Sorrell, business agent for Painters Local 644, who meets Friday with producers to seek a 15 per cent wage increase, stated that the settlement of the 1937 strike included a provision for a wage boost, but that it had never been received.

Executives of minor guilds declared that the letter was the first effort at general wage cuts. William Bioff, to whom the letter was addressed, refused to elaborate on his statement of Tuesday that he might ignore the letter entirely.

Painters Push Strike Threat; IA Denies Aid

Producers, Union Chiefs Meet Monday

HOLLYWOOD, Nov. 1.—Moving in quick succession, the International Brotherhood of Painters, Decorators and Paperhangers of America, and the Los Angeles District Council of Painters have approved the proposed strike of Moving Picture Painters Local 644, according to Herbert Sorrell, 644's business representative.

As a meeting of union officials and the producers was postponed today to Monday, Sorrell said preparation is being made for an immediate strike should producers reject demands for a 15 per cent wage increase.

Approval by the International executive board and the district council is considered important in view of the fact that no charges of an "outlaw strike" can be made should a walkout be called.

Business representatives of other American Federation of Labor crafts in the film industry voted under the banner of a recent conference of A. F. of L. studio crafts not to respect the painters' picket lines nor extend cooperation in any form.

This action was taken because the painters refused to join the fight of I.A.T.S.E. against the former CIO-financed United Studio Technicians Guild.

When the painters went on a strike in 1937, the International did not sanction the walkout.

Fox Polls Exhibitors On Radio-Film Stunt

HOLLYWOOD, Nov. 1.—Fate of the new idea to "wed" screen and radio depends upon 500 exhibitors in key cities who have been asked to give 20th Century-Fox their views on the dramatization of "Drums Along the Mohawk" on the Kate Smith hour Friday night.

Exhibitors will wire at the studio's expense their criticism of the broadcast.

Breen in New York

Joseph I. Breen, Production Code Administrator, is in New York from Hollywood for conferences with Will H. Hays. Breen said he would be in New York for a few days only and will go to Philadelphia to visit relatives before returning to Hollywood. He is accompanied by Mrs. Breen.

Another Delay For RKO Case

(Continued from page 1)

upon the delay in bringing forward a new agreement. Under any circumstances, Judge Bondy stated, he would consult with RKO directors on the fairness of any new agreement before approving it and added that Schaefer's presence would be necessary.

Jones, in applying for a postponement, stated that Atlas offered to submit its new agreement at a board meeting held last week, but was advised to await Schaefer's return. The board will continue to work with Atlas, he declared, and urgent efforts are being made to expedite things. Consistent with these efforts, he concluded, a new hearing prior to the scheduled one on Dec. 5 may be asked.

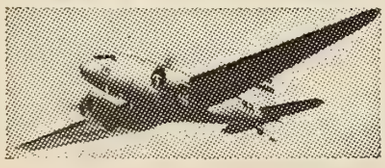
Minority group representatives complained of the delay and declared that there was no reason for it. Several attorneys were told by Judge Bondy to submit better agreements if they could with an offer to accept an agreement from any different source if its terms should prove better.

Shift Brice Action

CHICAGO, Nov. 1.—Federal Judge Woodward today handed down a decision that the damage suit of Fannie Brice against 20th Century-Fox and local houses which have played "Rose of Washington Square," be tried in the state instead of Federal court. The defense had sought a trial in Federal court. The firm of Spitz & Adcock represents Miss Brice.

BUSINESS MEN!

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LOS ANGELES or SAN FRANCISCO —Overnight via TWA's Skysleeper! Leave at 5:30 p. m.—fly the fastest route to the Coast—arrive in either city after breakfast $149.95

KANSAS CITY—New Daily afternoon service—Leave at 1:00 p.m.—arrive in Kansas City at 8:29 p.m. $66.45

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TWA

IT PAYS TO FLY

The Airline Run by Flyers

SHORTEST, FASTEST COAST-TO-COAST

Purely Personal

WILLIAM C. GEHRING, 20th Century-Fox central division manager, underwent a minor operation yesterday at the Fifth Avenue Hospital.

•

ARTHUR SILVERSTONE, MORRIS HELPRIN, EMANUEL SILVERSTONE, MORRIS KINZLER, AL MARGOLIES, SAM SHAIN, ALEX GOTTLIEB, LOU WEINBERG and RUBE JACKTER lunching yesterday at Lindy's, 50th St.

•

PEGGY DALE LATTA, daughter of C. J. LATTA, district manager for Warner Pittsburgh theatres, was married recently to WILLIAM F. DIEBOLD in Pittsburgh.

•

STANTON GRIFFIS, OSCAR O'SHEA, LOU SMITH, A. WILKIE, SIDNEY PHILLIPS, GEORGE SKOURAS and DICK POWELL at Sardi's for lunch yesterday.

•

BARCLAY ARDELL and FRANK MORGAN of Altec's office in Billings, Mont., are back from vacations in the East.

•

NELL O'DAY, stage actress, left yesterday for the Warner Bros. Coast studios for her first film assignment.

•

H. W. DODGE, Altec district manager, has returned to his Los Angeles headquarters after a trip to Seattle.

•

LOUIS FROHLICH of the Schwartz & Frohlich law firm, will return to New York today from Nashville.

•

PAUL RICHRATH, Grand National Albany branch manager, is visiting the home office this week.

•

DAN HOULIHAN, 20th Century-Fox Albany booker, has returned from Washington.

•

LOUIS SCHREIBER, 20th Century-Fox studio casting director, is vacationing here.

•

E. THORNTON KELLY leaves tomorrow on a trip to the Midwest.

•

DAN KELLEY, Universal casting director, is in town.

•

AL JOLSON is in town from the Coast.

'First Love' Proves Washington Sellout

WASHINGTON, Nov. 1.—The world premiere of Universal's "First Love," the new Deanna Durbin film at the RKO Keith theatre, is a sellout, the picture breaking all house records, on its first day, according to company officials.

Equity Preparing New Ticket Code

Ticket code committee of Actors Equity will meet with the League of New York Theatres tomorrow at 11 A. M. to discuss provisions for a new code. The committee met yesterday and formulated counter proposals.

Santa Claus

Buffalo, Nov. 1.—On Friday the Twentieth Century here will present a special dual bill, the proceeds to go to the *Courier-Express* Christmas Toy Fund.

The benefit performance is under the joint auspices of the theatre, the newspaper, RKO and the Buffalo Broadcasting Corp. The films will be "Allegheny Uprising" and "Racketeers of the Range."

'Gulliver's Travels' Opens Here Dec. 20

"Gulliver's Travels," the Max Fleischer feature length cartoon, is scheduled to open at the Paramount here on Dec. 20. There will be no change in policy at the house for the run of the picture.

Paramount, distributor of the picture, also has scheduled a world premiere of the feature cartoon for Miami on Dec. 17. Both dates are dependent upon completion of color prints, the schedule for which will not be definite for another 10 days.

Director Powell Sojourning in City

Frank Powell, director of stage and screen, more recently in Midwest banking, is sojourning this week in New York at the Hotel Stratford. It is to be remembered that Tallulah Bankhead began her career with a contact with the Powell organization at the College Point studios. Powell directed the famous "A Fool There Was," with Theda Bara, for the Fox organization.



PROUD WORDS:

"I FLY UNITED"

Distinguished overnight sleeper and scenic daylight flights to LOS ANGELES. The Continental, leave 5:45 pm, and "The Overland Flyer," leave 10:45 pm. Finest meals aloft. Call travel agents, hotels, or

UNITED AIR LINES

58 E. 42nd Street
Phone MU-2-7300

Myers to Talk At Texas Allied

DALLAS, Nov. 1.—A two-day session of Texas Allied will open here Monday in the Baker Hotel, with Abram Myers, general counsel of national Allied as principal speaker. Col. H. A. Cole, national president, will preside.

A directors' meeting is scheduled Monday morning, followed by luncheon. During the afternoon, officers' reports will be heard. W. J. Moore, architect, will discuss theatre construction. W. A. Steffes, national vice-president also will speak. Joe Estes, of National Screen Service, will discuss trailers. Appointment of committees, which are to meet Tuesday morning, wil complete the day's program.

At 1:30 P. M. Tuesday a closed meeting for the discussion of trade practices, reports of committees and election of officers will conclude the meeting.

Connecticut Allied Joins Boston Unit

NEW HAVEN, Nov. 1.—Allied Theatres of Connecticut has voted to affiliate with Independent Exhibitors, Inc., Boston, the New England Allied branch, of which Nathan Yamins is president. The Connecticut group remains a separate and distinct group, but cooperates in various activities.

A. M. Schuman, recently-elected president, reported a field representative from the Boston group would visit the New Haven territory in the near future.

Rogers Testimonial Is Set for Saturday

CLAREMORE, Okla., Nov. 1.—The Will Rogers Birthday Association on Saturday will observe the second anniversary of the dedication of the Will Rogers memorial.

Opening of the ceremonies will be an old timers' reunion and basket dinner in the Memorial Park, followed by a cowboy parade, and concluding with services at the memorial.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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THE APPLAUSE OF AMERICA'S *Audiences...*

THE ENTHUSIASM OF SHOWMEN *Everywhere...*

more than fulfill our predictions about

THE MOTION PICTURE INDUSTRY'S GREATEST CONTRIBUTION TO WORLD ENTERTAINMENT!

FRANK CAPRA'S* Mr. Smith Goes To Washington

co-starring

Jean **ARTHUR** ★ James **STEWART**

with CLAUDE RAINS · EDWARD ARNOLD · GUY KIBBEE
THOMAS MITCHELL · BEULAH BONDI

Directed by FRANK CAPRA · Screen Play by SIDNEY BUCHMAN

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*Creator of "It Happened One Night", "Mr. Deeds Goes To Town", "Lost Horizon", "You Can't Take It With You"!



It's the opening gun in Columbia's biggest barrage of hit productions . . .

THEY'RE COMING I



MELVYN DOUGLAS ★ JOAN BLONDELL

IN

THE AMAZING MR. WILLIAMS

with **RUTH DONNELLY · CLARENCE KOLB · EDWARD BROPHY · JOHN WRAY**

Screen play by Dwight Taylor, Sy Bartlett, Richard Maibaum

Associate Producer EVERETT RISKIN • Directed by ALEXANDER HALL



JOE E. BROWN

IN

BEWARE SPOOKS!

with **MARY CARLISLE**

Screen play by Richard Flournoy, Albert Duffy, Brian Marlow

Directed by EDWARD SEDGWICK



BLONDIE BRINGS UP BABY

4th in the smash series based upon CHIC YOUNG'S famous comic strip

with THE BUMSTEADS

PENNY SINGLETON *as BLONDIE* ★ **ARTHUR LAKE** *as DAGWOOD* ★ **LARRY SIMMS** *as BABY DUMPLING*

Screen play by Gladys Lehman and Richard Flournoy • Directed by FRANK R. STRAYER

RAPID-FIRE ORDER...





HOWARD HAWKS' PRODUCTION

CARY *starring* ROSALIND

GRANT ★ RUSSELL

HIS GIRL FRIDAY

with **RALPH BELLAMY**

GENE LOCKHART • PORTER HALL • ERNEST TRUEX

Based on a play by Ben Hecht and Charles MacArthur

Screen play by Charles Lederer · Directed by HOWARD HAWKS





WESLEY RUGGLES' PRODUCTION

starring

JEAN ARTHUR ★ FRED MacMURRAY

TOO MANY HUSBANDS

Based on the hit play by SOMERSET MAUGHAM

Screen play by Claude Binyon · Directed by WESLEY RUGGLES

It's this kind of bombardment that makes showmen realize why . .

COLUMBIA'S CAPTURED BROADWAY!

...White Way marquees simultaneously flashed a thrilling story—



Labor Leaders Push N. Y. as Film Center

A committee of labor leaders met yesterday with Mayor LaGuardia to discuss an effort to bring film production back to New York City. Spokesmen declared that "progress" had been made, but declined to reveal details. Further conferences will be held.

Sol Scappa, executive of M. Studio Technicians Local 52, who initiated the Eastern production movement at the N. Y. State Federation of Labor convention in September, led the delegation.

New York Allied Seeks State Code

(*Continued from page* 1)

Herman Lorence, Cattarauguas, and Cohen.

A resolution protested the classification of films above the "A" bracket and declared that "'A' represents the best production from any standpoint." Reference was made to pictures such as "Gone With the Wind" and "Mr. Smith Goes to Washington" for which distributors are asking top percentages.

It was decided to make an issue out of the chance games situation in Buffalo where they have been banned in theatres but permitted in non-theatrical places. Theatres are threatened with revocation of licenses if they persist.

Edmund Souhami was elected counsel and field representative of the organization. He succeeds his former associate, Harry G. Kosch, as counsel.

A financial committee was appointed including Thomas DiLorenzo, New Paltz; Irving Sherman, Pearl River, and Mark Finkelstein of the Cinema Circuit, New York.

Exhibitors were urged to run the trailers available calling for defeat of the proposed pari-mutuel betting amendment in next Tuesday's state election.

Wobber on Coast

HOLLYWOOD, Nov. 1.—Herman Wobber, general sales manager of 20th Century-Fox, arrived at the studio yesterday for conferences on forthcoming product.

Brandt to Capital On Code Mission

Harry Brandt, in Washington today, will confer with Attorney General Frank Murphy in an effort to induce him to approve the reopening of negotiations on the trade practice code which Thurman Arnold, in charge of anti-trust suits, ruled as illegal and therefore void. Brandt, representing the I. T. O. A. of New York, will report that independent exhibitors favor adoption of a code. Brandt will be accompanied by Milton C. Weisman, I.T.O.A. counsel.

Hollywood Review

"Our Neighbors—the Carters"

(*Paramount*)

HOLLYWOOD, Nov. 1.—Another in the rapidly growing array of family pictures, which already includes the Hardys, Joneses and Bumsteds, "Our Neighbors—the Carters" has as its focal point the steadfast and courageous mother, played by Academician Fay Bainter.

Miss Bainter finds her happiness and her grief, her despair and its compensation, in a brood of five children. The film opens and closes with her happily sending them off to their morning scholastic chores, amid great bustle and confusion. Between this start and finish stretches a series of complications, some typical, some exaggerated for emphasis to the point of implausibility.

Opposite Miss Bainter as the mother is Frank Craven as the father, a small town druggist who, in S. K. Lauren's treatment of Renaud Hoffman's story, loses his store through the ruthlessness of a cut-rate chain store operator and is reduced to the rank of day laborer. Solution of the domestic problem seems, for a long moment, to lie in "selling" one of their children to wealthy and childless friends (Edmund Lowe and Genevieve Tobin) but family solidarity is preserved and a happy ending is achieved.

As produced by Charles R. Rogers and directed by Ralph Murphy, the picture has such highlights as a vaudeville act put on by Craven and Lowe, reportedly a repetition of a soft shoe dance performed by them with considerable success at the Lambs Club in New York during the last war.

Running time, 75 minutes. "G."* W. S.

**"G" denotes general classification.*

U. S. Films Dominate Argentine Market

WASHINGTON, Nov. 1.—Approximately two-thirds of the films shown in Argentina during the first nine months of 1939 were of United States origin, according to a report to the U. S. Department of Commerce from the American trade commissioner at Buenos Aires.

Of a total of 347 films shown in the period, 232 were from the United States. Domestic production accounted for 43 films; France, 37; England, 12; Italy, seven; Germany and Spain, six each; Mexico, three and one unclassified.

Publicists on Coast To Meet Producers

HOLLYWOOD, Nov. 1.—A producer committee, including William Goetz, Matthew Fox and Samuel Briskin, will meet tomorrow with William Edwards, chairman of the Screen Publicists Guild, and George Bodle, attorney, for "clarification of clauses" of the guild contract, still unsigned.

Edwards declared he is entering the discussion with the stipulation that no new negotiations over the terms of the contract would be made.

U. A. Sales Meetings

Arthur Silverstone, assistant to Harry Gold, United Artists vice-president and Eastern sales manager, is in New Haven conducting district sales meetings. He leaves tomorrow for Boston where he will conduct a similar meeting.

Discontinues Vaudeville

Brandt Theatres yesterday discontinued vaudeville at the Audubon after six weeks. Combination shows are continuing at the circuit's Windsor, Flatbush and the Carlton in Jamaica.

Theatre Wins Suit Over Balcony Fall

ALBANY, Nov. 1.—An exhibitor is not liable to a patron who is pushed over a balcony railing onto the orchestra floor, the Court of Appeals, highest court in the state, has ruled in a 4-to-2 decision.

The high court set aside three judgments rendered in favor of Philemina DeSalvo, Sol Duckowitz, a minor, and Irving Zussman, against the Stanley-Mark Strand Corp., operators of the Strand in New York City, after ruling that theatre operators reasonably could not be expected to anticipate persons falling from the mezzanine and dropping on persons seated below.

Van Schmus Pleads For Red Cross Aid

W. G. Van Schmus, managing director of the Music Hall, has accepted chairmanship of the Motion Picture Group of the New York Chapter, American Red Cross, whose annual roll call will begin on Armistice Day and run through Nov. 30.

Ann Sheridan, Warner star, has been selected as this year's "Red Cross Girl," and will appear in a special trailer making an appeal for funds for the Annual Red Cross Roll Call.

Friedman Arrives

Joseph Friedman, Columbia's managing director for Europe, arrived on the *Statendam* yesterday, for conferences in New York with Foreign Manager J. A. McConville and other home office executives. Friedman was accompanied by his wife.

Retitle French Film

Transatlantic Distributors have chosen the title "Thunder Over Paris" for the picture "La Grande Gloire," French importation, starring Erich von Stroheim and Mireille Balin.

Double Bills Scored At Wisconsin ITPA

MILWAUKEE, Nov. 1.—Virtually unanimous sentiment against double bills was expressed by speakers at the two-day annual convention of the Independent Theatre Owners Protective Association of Wisconsin and Upper Michigan, which ended here tonight.

The public is tiring of long programs, as too often both pictures played on a dual bill are mediocre, speakers declared.

Establishment of friendly relations with major circuits, as well harmony within the independents' ranks, was urged. Tax legislation also was discussed.

Among speakers were F. J. McWilliams, Portage; August Berholz, West Bend; Bert Fischer and Charles Trampe, Milwaukee; Ben Marcus and Harry Perlowitz, the organization's new business manager.

Officers were elected as follows: William Ainsworth, Fond du Lac, president; A. C. Gutenberg, Milwaukee, vice-president; Max Krofta, Racine, secretary; H. J. Mirisch, Milwaukee, treasurer.

Directors in addition to the officers are William Smith, Menominee; A. C. Berkholtz, West Bend; Ben Marcus, Ripon; John Adler, Marshfield, and Ross Baldwin, Wauwatosa.

A membership committee was formed. It includes Bert Bathan, D. W. Trampe, both of Milwaukee; Marcus, Ainsworth and Arthur Desormeaux, Madison.

A banquet tonight attended by nearly 600 members and guests, was the concluding event.

Gala Philadelphia 'Essex' Premiere

Philadelphia, Nov. 1.—Warners' "The Private Lives of Elizabeth and Essex," color film starring Bette Davis and Errol Flynn, had its world premiere at the Boyd here tonight with Hollywood effects. First day's business was reported as the biggest since "Anthony Adverse."

Jack L. Warner headed a delegation of Warner executives at the opening. Others were Major Albert Warner, Gradwell L. Sears, S. Charles Einfeld, Jack L. Warner, Jr., and Joseph Bernhard.

The picture will go into more than 200 theatres simultaneously the week of Nov. 11.

An intensive advance campaign prior to the opening included special trailers in all Warner houses in the territory, a series of screenings for various club groups and the head of the visual education division of the city school system and radio plugs.

All theatre programs of the Warner circuit carried premiere announcements, score cards at football games and restaurant menus carried copy, post cards were mailed to club members, and special publicity stories were spotted.

Galston Eagle Trustee

Referee Wilmot L. Morehouse has appointed Clarence E. Galston, Manhattan attorney, as trustee in bankruptcy of the Brooklyn *Daily Eagle*. At the bankruptcy declaration last week, Wilmot said the action would have no affect upon the publication of the paper.

CBC Predicts Full Revision

TORONTO, Nov. 1.—Resignation of L. W. Brockington, chairman of the Canadian Broadcasting Corp., effective today, has stirred up a claim in political circles that CBC is to be completely reorganized and placed under the Federal Department of Transport's control.

The CBC has been operated as a private company since its inception three years ago, but it has been financed to a considerable degree by the Canadian Government, other revenue being derived from the taxation of receiving sets at $2.50 per year and the licensing of independent broadcasting stations.

Protests have been registered against the rumored move that CBC is to be placed under direct Government control. The CBC has been made subject to regulations of the Federal Wartime Censorship Board.

CBS Billings Show 41% October Jump

Gross billings for CBS for October rose 41 per cent over the same month last year, network officials revealed yesterday. The total was $3,366,654 as compared with $2,387,395 for October, 1938.

For the first 10 months of 1939, CBS billings were $27,532,088 as compared with $22,362,927 for the same period in 1938, a rise of 23.1 per cent. The increase of October billings over September was 31.3 per cent.

Musicians Seeking New Radio Contract

A committee from the American Federation of Musicians will meet with National Association of Broadcasters today to start discussions for a new contract. The present contract expires Dec. 31. Although the executive board yesterday decided to present several new demands, it was indicated that no radical changes would be sought.

British Lion Profit Is $14,000 in Year

LONDON, Nov. 1.—A profit for the year of £3,490 (about $14,000) as compared with last year's profit of £15,498, is recorded by British Lion Film Corp. on 12 months' operations.

As against last year's credit balance of £30,974, this year's balance sheet shows a bank overdraft of £33,558. Loan to Republic Pictures Corp. stands at £23,144 against £46,061 last year.

Simon Fox Rites Today

CLEVELAND, Nov. 1.—Funeral services will be held tomorrow for Simon Fox of the Sam Fox Publishing Co., who died on Monday. Fox, father of Sam and Harry Fox, had been with the company for more than 25 years.

Canada Bans 'Eagle'

TORONTO, Nov. 1.—The Paramount release, "The Eagle and the Hawk," has been withdrawn from circulation in Canada because of the ruling that the story subject is not appropriate for Dominion wartime conditions.

London Review

"Over the Moon"

(London Films-United Artists)

LONDON, Oct. 13 (By Mail).—This is a film with a history. The details are irrelevant, but the generality that it was started many months back, interrupted and restarted, seems to have left marks on the finished product. Whatever may have been the intentions and aims at the picture's conception, the child which has been born seems a little tired!

Merle Oberon's name would seem to be the only asset for the international market, this in spite of a lavish color dressing involving the Alps. Monte Carlo and the canals of Venice. Without these factors the film might easily be overlooked as just another social satire with a familiar Mayfair accent.

Miss Oberon's role is that of a young girl who becomes overnight a millionairess, and who loses her beau because he wants to marry a woman and not an heiress. The social comedy, designed in the sophisticated style of the stage play, rings the bell with a few sophisticated wisecracks in the best Wimperis style and ends, of course, with the tangles straightened out, Merle traveling third-class and convincing her doctor beau that she really does mean it when she says "yes."

Probably women patrons rather than men are aimed at with the cabaret flashes, fashion parades and spectacular passages. It does not seem too naturally arrived at, however, and despite being agreeable and easy to accept, it never rises to either dramatic heights or explosive laughter.

The cast, a theatrical one for the most part, includes names known on this side, such as Ursula Jeans, Rex Harrison, Zena Dare, Mackenzie Ward and Louis Borrell. The technical qualities are beyond criticism.

Running time, 78 minutes. "A."* AUBREY FLANAGAN.

**"A" denotes adult classification.*

A. J. Small's Sister Is Dead in Mystery

TORONTO, Nov. 1.—The bodies of Gertrude Small, 56, sister of the former theatre magnate, A. J. Small of Toronto, and Warren Bell, theatre electrician, were found in widely separated points of the waters of the Georgian Bay District after an intensive search following the discovery of their automobile a short time after they had been married at a hotel in Stayner. Further mystery has been added to the case by the discovery that the woman had not drowned, no water being found in her lungs.

In the meantime, litigation is proceeding in the Toronto courts over the disposition of the $2,000,000 estate among relatives and institutions. The money was left by A. J. Small, who mysteriously disappeared in December, 1919, in the vicinity of his Grand Theatre in downtown Toronto immediately after he had received $2,000,000 for the sale of his Ontario theatres to Trans-Canada Theatres, Ltd.

Toronto Proposal Would Tax Circuits

TORONTO, Nov. 1.—The Toronto City Council is considering a recommendation for a special tax, in addition to the annual business tax, on all companies operating a group or system of branches or units, the proposed levy to be imposed for the obtaining of additional revenue. This would affect the various theatre circuits and holding companies for subsidiary theatre corporations, the latter having been included within the scope of the proposal.

Change Metro Title

HOLLYWOOD, Nov. 1.—"Joe and Ethel Turp Call on the President" is the final title for the M-G-M film, "A Call on the President."

Hays Board Meets Again

Meeting of the M.P.P.D.A. board of directors was adjourned again yesterday for one week. The board met briefly yesterday but issued no statement.

Form Fourth Air Network

(Continued from page 1)

John Roberts, St. Louis, and William A. Porter, Washington, D. C., were named vice-presidents. Robert M. Thompson of Pittsburgh will serve as secretary while H. J. Brennan, also of Pittsburgh, will be treasurer.

More than 100 stations from coast to coast will become members of the network, it was stated. Officers announced that considerable business already has been signed and that more is being closed hourly.

Broadcasts will originate in New York, Chicago and Hollywood.

Roosevelt said that his Mutual-Emerson broadcasts will cease after 13 weeks. He said he "understood" the Emerson Co. is considering the purchase of time on the new network. He added that the Texas network will be a part of, but not the nucleus of the new chain.

NBC Creates New Post

First network circulation manager was appointed yesterday by NBC, Kenneth R. Dyke, national sales promotion director disclosed yesterday. J. M. Greene, named to the post, will increase statistical information about the circulation of network stations and relate the information to network sales. H. M. Beville, Jr., was named research director, while E. P. H. James continues as advertising manager.

A Challenge!...

....What Is Wrong With American Methods In Latin America?

This will be discussed by representative speakers at the AMPA luncheon meeting today at Stouffer's restaurant, 540 Fifth Avenue at 44th Street, held in cooperation with "Teatro al Día", the Quigley Spanish publication.

The present world situation focuses attention on the American film industry's No. 1 foreign market—Latin America.



Speakers: **René Borgia**, noted South American writer, scenarist and director; **Eddie LeBaron**, president of Eduardo LeBaron Productions. **Nathan D. Golden**, chief, Motion Picture Division, U. S. Department of Commerce, will be guest of honor. Meeting is called for 12:45 o'clock. . . . Come early to get a seat.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 88 NEW YORK, U. S. A., FRIDAY, NOVEMBER 3, 1939 TEN CENTS

Trade Backs Federation's Charity Drive

Amusement Section Wins Leader's Praises

Under the chairmanship of David Bernstein and Maj. Albert Warner, leaders of the amusement industry met yesterday at the Hotel Astor and organized the Motion Pictures and Theatricals Division for the 1939 campaign of the New York and Brooklyn Federations of Jewish Charities.

There were about 50 present, the largest number enrolled in the divi-





Maj. Albert Warner David Bernstein

sion for Federation drives in the last six years. Bernstein presided.

Assignments were accepted by those present to act as the committee for the division. Barney Balaban, president of Paramount; Jack Cohn, vice-

(Continued on page 11)

Fox Has $3,152,595 Net for 39 Weeks

Net profit of $3,152,595 after all charges is reported by 20th Century-Fox for the 39 weeks ended Sept. 30.

The third quarter profit was $827,069, against the second quarter net of $1,010,275. No dividends were received from National Theatres Corp. during the first 39 weeks of either year.

After allowing for preferred dividends, there remained a 39-week profit equivalent to $1.20 a share on the 1,741,989 common shares outstanding on Sept. 30. In the third quarter, after preferred dividends, profit was 27 cents a share on the common stock.

Gross income in the 39 weeks was $41,046,297.

Plan for Paying Off Creditors Offered By Grand National

A petition under the Chandler Act for an arrangement with creditors was filed yesterday in U. S. District Court by Grand National Pictures Inc.

Total liabilities of $549,403. and assets of $1,518,418. were listed in the petition which proposed full payment to unsecured creditors on installments over a period of 18 months, and earlier payment in full to priority and preferred claimants.

An arrangement was necessary, the petition said, because Grand National was unable to pay its debts as they mature.

Earl W. Hammons, who signed the petition as president, stated that payments would be met by loans totalling $600,000 to be received by the parent organization, Educational Pictures, Inc., and its affiliated company, Educational Studios, Inc., of which a "sufficient amount" would be received by Grand National to pay under the plan.

The RFC will loan these companies $450,000, Hammons said, after an additional $150,000 is obtained by loans of $100,000 from Erpi, $15,000 from the National City Bank and $35,000 from other sources.

After receipt of this loan, the petition alleged, Grand National will be placed on a firm financial basis, en-

(Continued on page 4)

CODE O.K. IF KEPT APART FROM SUIT

Studio Locals to Act On Wage Cut Today

HOLLYWOOD, Nov. 2.—Executive boards of 10 I.A.T.S.E. studio locals will meet tomorrow night with William Bioff, head of the Alliance's negotiating committee, to consider the producers' request for voluntary renunciation by the unions of the 10 per cent wage increase granted recently.

Bioff called the meeting upon receiving a request from E. J. Mannix, chairman of the producers' labor negotiations committee, for immediate action by the unions on the proposal for renunciation.

Mannix's latest communication to Bioff said in part:

"Under date of Oct. 28 I wrote you calling to your attention the serious and pressing problems created by the 10 per cent wage increase which was recently granted as a result of your demands. That increase has created a situation which we feel must be remedied at once. We, therefore, request that you meet with the producers' committee at the earliest possible convenient time for consideration of our

(Continued on page 2)

Murphy Wants Promise Trade Will Not Use Pact for Defense

WASHINGTON, Nov. 2.—Fate of the motion picture trade practice code depends upon the industry's willingness to promise the Department of Justice that it will not use such a pact as a defensive weapon in the Government's anti-trust suits.

Attorney General Frank Murphy made this announcement today following a conference with Harry Brandt, president of the I.T.O.A. of New York, and Milton C. Weisman, his counsel. They came here to present the views of independent exhibitors on the trade code.

After nearly a year and a half of intensive negotiations by producers and exhibitors, the completed code several months ago was ruled illegal by Thurman Arnold, assistant U. S. attorney general in charge of anti-trust prosecutions. Arnold's ruling proved to be the death-knell for the code, although distributors preserved hopes for it.

Brandt acquainted Murphy with the situation in the film industry and stressed the desirability of reopening the code negotiations, which is possible, however, only if the Department withdraws its objections to the agreement.

After a lengthy discussion with Brandt, Murphy referred him to Paul

(Continued on page 2)

Beware Latin American Boomerang, Says Golden

By AL FINESTONE

American film companies have no intention of setting up production in Latin American countries because it will prove a boomerang, declared Nathan D. Golden, chief of the Motion Picture Division of the U. S. Department of Commerce, at a forum on Latin American film problems sponsored by Ampa yesterday at Stouffer's restaurant.

"No American company should create a film industry for any Latin American country," Golden said. "From past experience, my observation is that if this should occur, the first result would be quotas, contingents and legislative barriers which would react against our business."

Golden was replying to "indictments" by previous speakers, among them being Armando Miranda, executive of Ramos Cobian's United Theatres circuit in Puerto Rico, and Eddie LeBaron, Monogram producer.

A talk scheduled by René Borgia, an attache of the Veneuzelan Embassy and former producer, was read by Paul Lazarus, Jr., Ampa president, in the absence of Borgia, who was ill.

Golden said that film companies have been doing much to build goodwill between the Americas. He applauded the sending of film stars to Latin America on goodwill missions.

"It is a mistake to suppose that Latin America can supplant the curtailed European markets as a provider of revenue for the film companies," Golden said, pointing out that the market south of the Rio Grande is limited.

In the last three to five years, American companies have lost five per cent of the playing time in Latin America, Golden went on. They now control 75 per cent of the playing time, with 15 per cent devoted to European films and 10 per cent to

(Continued on page 11)

'Mohawk' Is Given Five-Way Opening

ALBANY, Nov. 2.—Twentieth Century-Fox emblazoned its five-city premiere for "Drums Along the Mohawk" into the consciousness of the staid Mohawk Valley, locale of the story, as its motorcade swung triumphantly around the belt winding up at the Palace here tonight.

The state trooper escort estimated 100,000 people watched the ceremonies in Gloversville, Amsterdam, Schenectady and Albany.

Governor and Mrs. Lehman, Mayor Thacher headed the who's who list of 5,000 jamming into the Palace to see Arleen Whelan, Joan Davis, Lynn Bari and Arthur Shields end their personal appearance tour.

The gayly-bedecked business sector was packed about the Palace, where the folks got an Eastern Hollywood opening, local radio hook-up, the lobby and marquee spotted with Indians made-up, the setting historical.

O.K. on Code If Kept From Trust Battle

(*Continued from page* 1)

Williams, special assistant in charge of the film cases, for a more detailed explanation of the Departments' position.

Discussing the meeting later, the Attorney General said that "the department's position is that the code cannot be approved without a stipulation that it will not be used as a defense in any proceedings." Murphy added:

"The Government cannot approve anything that would interfere with its present litigation or prejudice its position."

Murphy said he had "no comment" to make on rumors that he was to be transferred to the position of Secretary of War, but indicated that they were without foundation.

He also said he had received no new information regarding the West Coast Theatres case and had not seen Albert J. Law, special investigator, who had been reported as returned to Washington for a conference on the proceedings, in which a hearing is to be held Nov. 13.

Grainger, Exchange Managers Confer

James R. Grainger, president of Republic Pictures, held a meeting at the home office yesterday on exchange operations, new product and Republic's booking drive.

Attending were four franchise holders, including Herman Gluckman, New York and Philadelphia; Sam Flax, Washington; James H. Alexander, Pittsburgh, and Nat Lefton, Cleveland and Cincinnati.

Also discussed were matters concerning the recent takeover of some Eastern exchanges by Republic from franchise holders. Managers present from these territories were Jack Bellman, Buffalo; Arthur Newman, Albany; M. E. Morey, Boston, and Sam Seletzky, New Haven.

Other managers present were Sam Gorell, Cleveland; Max Margolis, Cincinnati; Morris Epstein, New York, and Max Gillis, Philadelphia.

"Covered Trailer" was screened after the meeting.

Lezama Distributes Republic in Mexico

Luis Lezama has closed a contract to distribute Republic product in Mexico. He will handle features exclusively in that country, with headquarters in Mexico City

Circuit Chief Here

Rafael Cabrera, partner in the principal circuit in Nicaragua, is in New York on business. In addition to supervising the Margot circuit of 18 theatres, Cabrera is the distributor in that country for RCA Photophone, National Theatre Supply and other companies.

Censor Orders 26 Cuts

COLUMBUS, O., Nov. 2.—Ohio censors reviewed a total of 678 reels in October, from which 26 eliminations were ordered.

Purely Personal

NATE J. BLUMBERG, Universal president, has been confined to his home with a cold all week, as a result of which he was forced to miss the monthly meeting of the company's board of directors yesterday.

•

BEN GOETZ, M-G-M production executive in England, is now on the Coast with his family and will leave shortly for a rest in Honolulu. He recently underwent an operation here.

•

FRANK H. CASSIL, president of the Kansas-Missouri Theatres Association, and MRS. CASSIL leave tonight for St. Joseph, Mo., after a visit here.

•

JOSEPH MOSKOWITZ, 20th Century-Fox Eastern studio representative, plans to leave for the Coast in about 10 days.

•

WILLIAM C. GEHRING, central division manager of 20th Century-Fox, returns to his desk early next week following a minor operation.

•

CARL LESERMAN, assistant to GRADWELL L. SEARS, general sales manager of Warners, is due over the week-end from the Coast.

•

DAVID LEWIS, M-G-M manager in Argentina, leaves for Buenos Aires over the weekend after conferences here with ARTHUR M. LOEW.

•

MR. AND MRS. LEOPOLD FRIEDMAN are scheduled to return early next week from their honeymoon at White Sulphur Springs, W. Va.

J. S. HUMMEL, foreign department executive of Warner Bros., sails today on the *Brazil* for Rio de Janeiro. He will be away three months.

•

HARRY COHN, NATE SPINGOLD, J. J. MILSTEIN, JOSEPH MOSKOWITZ, JOSEPH PINCUS and DICK POWELL lunching yesterday at Lindy's, 51st St.

•

EARL M. FAIN, head of Fain Theatres, Leesburg, Fla., has been appointed Colonel on the staff of Governor Cone.

•

ISABELLA AUSTIN, secretary to HOMER HARMON, publicity director of the Roxy, has left on a three-week vacation in Atlantic City.

•

HARRY COHN, Columbia president, left for the Coast by plane last night after a three week's visit here.

•

JAMES ROOSEVELT arrived from the Coast yesterday on the TWA *Sky Chief*.

•

MANUEL FONSECA, circuit operator in Venezuela, sailed yesterday for Caracas, after conferences here.

Ludwig Discharged From Hospital Today

L. J. Ludwig of the Minnesota Amusement Co., Minneapolis, who was injured Wednesday in an automobile accident near Wauseca, Minn., will be able to leave the hospital there today for his home, according to word received at the Paramount home office yesterday.

Ludwig suffered a skull fracture and numerous cuts and bruises in the accident which resulted in the death of E. Paul Phillips of the Paramount home office theatre department. Charles Burton of the Paramount engineering and construction department, the other occupant of the car, is recuperating at the Wauseca Hospital from severe injuries.

Greenthal East Today

HOLLYWOOD, Nov. 2. — Monroe Greenthal, United Artists exploitation manager, will leave here tomorrow for New York via American Airlines after two weeks of conferences with the studio publicity staff. During Greenthal's stay plans were made for extensive advance exploitation and sales promotion campaigns on the company's forthcoming product.

'U' Plans Cuban Branch

Universal is formulating plans for handling its own distribution in Cuba and may open an office there within the next few weks. C. A. Kirby, assistant to J. H. Seidelman, Universal foreign manager, returned to New York recently after making arrangements in Havana for the formation of the new distributing subsidiary there.

Tri-States Managers Hold Iowa Meetings

DES MOINES, Ia., Nov. 2.—A. H. Blank and G. Ralph Branton attended at Davenport yesterday the first of a series of district meetings of Tri-States Theatre Corp. managers and assistants to make plans for a new drive. Joe Kinsky, manager of the Davenport district, was in charge. Men from Cedar Rapids, Iowa City, Moline, Rock Island and Davenport attended. Managers from Sioux City, Grand Island, Hastings, Fairbury, and Omaha attended an Omaha meeting today with Everett Cummings in charge.

Producers, I A Act On Wage Cut Today

(*Continued from page* 1)

request for termination of that increase."

While much speculation exists on the probable action of the I.A.T.S.E. representatives, no indication has been given as to the outcome of the session. All Alliance locals in the studios, with the exception of the Studio Technicians Local 37, whose officers are still suspended, will be represented at the meeting.

26,421 September Castings Recorded

HOLLYWOOD, Nov. 2.—During September, 26,421 placements were made by Central Casting, with the total wages therefrom amounting to $291,-637.09.

The number of placements was divided as follows: men, 17,789; women, 7,865; boys, 336; girls, 401.

Mexico Film to U. A.

United Artists will release "La Justice de Pancho Villa," Spanish language film produced by Guz Aguila Films, Mexico. The United Artists rights cover all of Latin America, including Mexico.

News reel Parade

War events vary in each of the issues. Flood in Shanghai, fashion show and sports are prominent. The reels and their contents follow:

MOVIETONE NEWS, No. 16.—Steel work for last building in Rockefeller Center completed. Funeral for Nazi aviator in Scotland. Aviators check forest[illegible]. Huge quantities of Scotch whiskey s[illegible]d to U. S. Naval training station graduations in California. Chinese fashions. Flight over New Zealand mountains. Lew Lehr. Pennsylvania vs. North Carolina football. Timber toppers in Australia.

NEWS OF THE DAY, No. 214—U-boat scare off U. S. Coast. Army bombers over California. Preparedness in Washington. Horse race at Pimlico. Fashions. Diamond Belt bouts. Pennsylvania vs. North Carolina football.

PARAMOUNT NEWS, No. 19—Challedon wins race. Rockefeller, Jr., urges peace. Oriental style show. Floods in Shanghai. Pictures of Arctic expedition. North Carolina vs. Pennsylvania football.

RKO PATHE NEWS, No. 31—Polish conquest by Germany. Steel work for last Radio City building completed. Fashion show. Giants vs. Dodgers football. Pimlico Special horse race.

UNIVERSAL NEWSREEL, No. 820—Finnish army in preparedness. Last steel column for last building of Rockefeller Center. Flood in Shanghai. New method of combating forest fires. Fashion show. Walking marathon in Boston. Tug-of-war at Maryland University. Tulane vs. Mississippi, L. S. U. vs. Vanderbilt, football.

Ericksen Becomes Wanger Manager

HOLLYWOOD, Nov. 2. — Clarence Ericksen has resigned as business manager for Douglas Fairbanks and will devote his entire time to his duties as business manager and treasurer of Walter Wanger Productions.

Ericksen has held his business post with Fairbanks for the past 20 years, and will continue with him in an advisory capacity. During the past year his time was divided between the Fairbanks' and Wanger offices.

Waring's Father Dies

HARRISBURG, Pa., Nov. 2.—Frank Malcolm Waring, 65, father of band leader Fred Waring, died yesterday at his home in the suburbs of Harrisburg. Funeral services will be held Saturday at Tyrone, Pa.

Gillingwater Dead

HOLLYWOOD, Nov. 2.—Claude Gillingwater, 69, veteran stage and screen actor, was found dead at his home in Beverly Hills last night.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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TODAY!

Special M-G-M Flash!

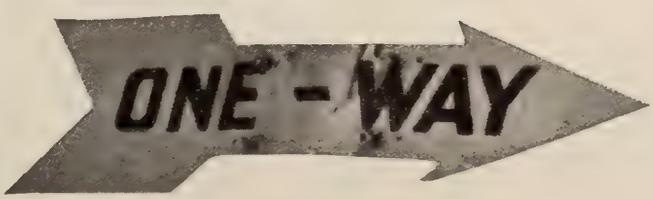


The applause was deafening!

CULVER CITY, CAL. A second Preview group has returned to the M-G-M Studios confirming the exciting reaction to last week's sneak showing of William Powell and Myrna Loy in "ANOTHER THIN MAN." The opening flash on the screen of these two popular stars literally brought down the house. The applause was deafening. And now the Preview Post-Cards are pouring in. Seldom have so many been received by the Studio. The overwhelming opinion of the fans is that "ANOTHER THIN MAN" is the best of the entire series. Following immediately after the sensational Preview of "BALALAIKA" at Pomona and in view of M-G-M's succession of hits, this new triumph has set the Film Colony buzzing with talk. Out here the tip-off is "Watch Leo—M-G-M is on the march!"



Mr. & Mrs. Thin Man have a B-A-B-Y!



M-G-M

G.N. in Court Plan to Buy Off Creditors

(Continued from page 1)

abling it to free assets now pledged and to repledge the assets with new lenders, give better distribution to films now being handled by the company and obtain new films for distribution.

Unsecured general creditors under the plan will receive 100 per cent payment on installments of 25 per cent within 45 days of confirmation, 15 per cent within seven months, 10 per cent within ten months, 25 per cent within fourteen months and the balance of 25 per cent within eighteen months. All other creditors will receive full payment at an unspecified earlier date, according to the petition.

Wage claims were listed at $19,053, taxes due to 22 states and the federal government at $34,229, preferred secured creditors at $102,708 and unsecured general creditors at $393,412. The chief asset listed was under the heading of trademarks and reissue values of negatives with an evaluation of $1,040,543. This valuation, the petition declared, is based on continued operation of the business.

Other assets set forth were stock in trade, totalling $130,092; machinery and fixtures, $103,000; accounts receivable, $66,711; lease and improvements on Hollywood studio, $60,000; notes and other instruments, $77,258; bank and other deposits, $31,211, and prepaid insurance, $2,000.

Among larger secured creditors, the petition named the National City Bank, $35,150; J. D. Maguire, $22,663; Arcadia Pictures Corp., $15,733; De Luxe Laboratories, Inc.; $12,632; and William Skirball, $5,198.

Larger unsecured creditors were listed as Educational Pictures, Inc., $94,603; Edco Prod. Unit, Inc., $49,277; E. W. Hammons, $43,414; Educational Studios, Inc., $38,966; Educational Films Co., Ltd., $34,860; Jack Skirball, $11,448 and Soc. Des Films ERKA $10,000.

In a statement issued after the filing of the petition, Grand National stated that the step was taken to forestall any "ill-advised action on the part of some minority creditors," and to prevent any creditors from obtaining a preference since the court would restrain creditors from taking action during the proceedings.

In line with the sentiment expressed in the statement, Grand National yesterday secured an order from Judge Mandelbaum restraining Benjamin Russach, minor creditor, from prosecuting his suit. Hammons declared that if the court grants the petition, employees who have been laid off will be immediately reinstated.

Book Alliance Film

"Dead Men Tell No Tales," released by Alliance Films, has been booked into the Brooklyn Strand, beginning Nov. 16. The Lincoln, Troy, N. Y., also has taken the film.

Papers Buy WTMA

CHARLESTON, S. C., Nov. 2.—*Evening Post* and the *News and Courier* have acquired WTMA here.

Insider's Outlook

By SAM SHAIN

AT 43rd Street and Broadway, where the Joe Leblang theatre ticket agency once stood, builders are now constructing a film house which will be operated by Consolidated Amusement Enterprises, of which Laurence Bolognino is president. It will be a two-story building with stores.

The Leblang agency is now in the Longacre Building, next door.

Once that agency was the biggest and most famous in show business. Joe Leblang ran a cut-rate ticket business and ran that up from nothing into a business which grosses millions annually.

He died a few years ago. Bad times came to Broadway and the cut-rate ticket business wasn't what it used to be. A bank took over the old Leblang building and razed it.

IN theatrical circles, the name of Walter Reade is being mentioned for New Jersey Racing Commissioner, when racing gets under way in the neighboring state.

THE 7th Avenue half of the big sign atop the Mayfair Theatre on Broadway is for lease. Once this huge sign, half of which faces Broadway from the 47th Street side of the theatre, made history in Times Square. It was the biggest electric sign in the district. RKO operated the theatre then.

In 1934, Loew's took over the house, for a 10-year term.

The last "spectacular billing" on that sign in lights, was RKO's "Silver Streak," in 1934.

ON 44th Street, just west of Sardi's, between Broadway and 8th Ave., is the world headquarters of the Christian Missionary Alliance. The six-story brownstone stands as an anachronism amid the bustle of the theatrical area.

On ascending the stairs of the building, a middle-aged gentleman greets the visitor with a warning to throw away his cigarette. Smoking is not allowed.

"Of course, there are theatres, restaurants and hotels all around but we were here first," said the old gentleman. "There is nothing strange about this building and the Missionary Alliance being here. We have been here 50 years."

This was a residential area in those days.

"We don't go to theatres," he says, "because if we did, we would be suspected of going to other places."

LOEW'S STATE has been using for some years the slogan, "Nation's Leading Vaudeville." The Music Hall uses "Show Place of the Nation." Now the Brandt houses are using "World's Greatest Vaudeville."

RECENTLY raised again was the proposal that distributors eliminate appropriations for cooperative newspaper advertising on first run films. This time the proposal was urged as an economy measure. However, the move seems to have died, and principally because one or two companies which ordinarily spend very large sums on such advertising declined to discontinue the plan.

Four or five companies are known to have favored the proposal. They felt it might have been a good experiment to determine whether or not first run theatres would increase their own advertising efforts if distributors eliminated such contributions.

ANTOINETTE SPITZER has written another book. It is "Once for Love," a story of a ballet dancer.

IN Wichita, Kansas, the other day the Civic Theatre played a double bill consisting of "Confessions of a Nazi Spy" and "Young Mr. Lincoln." Cleverly, in its advertising on the double bill the theatre posed this question: "Which 'ism' will dominate America? Nazism or Americanism?"

AL SEADLER, brother of M-G-M's Si, just returned from a hair-raising adventure aboard the *SS Boringuen*

En route to Puerto Rico, the small cruise boat was caught in the same hurricane that struck the *SS President Harding*. The passengers were trapped in the salon for two days and three nights.

Among them was a young man who was reading a book. There was a sudden lurch and Seadler was dislodged from his seat and whirled across the room. As he whirled, he caught a glimpse of the young man's book. It was Hall and Nordhoff's novel, "The Hurricane."

Talk Wage Contract

CHICAGO, Nov. 2.—Officials of the local film exchange employes union met with representatives of exchanges here to discuss terms of a new wage contract. No action is expected until after the national meeting of the union in Indianapolis at the end of the week.

Para. Title Change

"The Night of Nights" will be the release title of the picture produced under the title "Happy Ending" with Pat O'Brien, Olympa Bradna and Roland Young in the leading roles, it was announced yesterday by Paramount.

'Smith' Smash With $35,800, Los Angeles

LOS ANGELES, Nov. 2.—"Mr. Smith Goes to Washington" was sensational, scoring a total of $35,800 at two houses, $17,500 at the Hillstreet and $18,300 at the Pantages. It was duaied in both spots with "Those High Gray Walls."

Estimated takings for the week ending Nov. 1:

"At the Circus" (M-G-M)
"Dancing Co-Ed" (M-G-M)
CHINESE—(2,500) (30c-$1.00) 7 days. Gross: $9,500. (Average, $12,500)
"Hollywood Cavalcade" (20th-Fox)
4 STAR—(900) (40c-50c) 7 days, 4th week. Gross: $4,100. (Average, $3,250)
"Mr. Smith Goes To Washington" (Col.)
"Those High Gray Walls" (Col.)
HILLSTREET—(2,700) (30c-65c) 7 days. Gross: $17,500. Average, $6,500)
"At the Circus" (M-G-M)
"Dancing Co-Ed" (M-G-M)
LOEW'S STATE—(2,500), (30c-$1.00) 7 days. Gross: $11,000. (Average, $14,000)
"Mr. Smith Goes To Washington" (Col.)
"Those High Gray Walls" (Col.)
PANTAGES—(3,000) (30c-65c) 7 days. Gross: $18,300. (Average, $7,000)
"Disputed Passage" (Para.)
PARAMOUNT—(3,595) (30c-65c) 7 days. Stage: F. & M. revue, Gus Arnheim and his orchestra. Gross: $15,500. (Average, $15,000)
"On Your Toes" (W. B.)
"Torchy Plays With Dynamite" (W. B.)
WARNER BROS. (Hollywood)—(3,000) (30c-65c) 7 days. Gross: $7,900. (Average, $14,000)
"On Your Toes" (W. B.)
"Torchy Plays With Dynamite" (W. B.)
WARNER BROS: (Downtown)—(3,400) (30c-65c) 7 days. Gross: $6,900. (Average, $12,000)

Variety Club Names Hostesses for Ball

KANSAS CITY, Nov. 2.—Hostesses for the annual Variety Club ball have been selected by Earl Jameson, general chairman, and his committees: Universal, Virginia Gaylord; Variety Club, June Medcalf; Republic, Pauline Siegrist; Commonwealth, Hazel Ralph; Paramount, Gladys Penrod; Columbia, Louise Williams; Grand National, Betty Bowley; United Artists, Minnie Schmiedgen; M-G-M, Katherine Wheeler; 20th Century-Fox, Reba Withers; National Screen Service, Grace Clemens; RKO, Margaret O'Toole; Warners, Margaret Totten; Monogram, Alice Benson; Fox Theatres, Betty McGuire; Film Delivery, Nadine Simpson.

The local club has revamped the Film Row Bowling League, cutting it down from eight to six teams. Teams and their captains now are: Film Delivery, Earl Jameson; National Screen Service, Larry Biechele; Don Davis team, R. W. Regan; Finton Jones team, John Scott; Cinema Club, Charles Siebenthaler; Dubinsky Brothers, William Dubinsky.

Sunday Film Indictment

SWAINSBORO, Ga., Nov. 2.—W. M. Karrh, owner of the Dixie here, and C. M. Bridges, manager, have been indicted by the Emanuel county grand jury on charges of showing films on Sunday. The case will be heard in January.

Witt Joins Standard

George Laganas, president of Standard Pictures, has named Peter Witt as director of publicity, advertising and exploitation.



SPOTLIGHT ON PHILLY!

FIRST 2 DAYS ALL-TIME TOP!

ACTUALLY
A HOLD-OUT
AT 10 P. M.!

Warner Bros.
FAIR AND SQUARE
AND

Minneapolis Gives $10,500 To 'Furious'

MINNEAPOLIS, Nov. 2.—"Fast and Furious," with the help of Marie Wilson and Blackstone on the stage, took $10,500 at the Orpheum.

In St. Paul, "Hollywood Cavalcade" at the Paramount was the leader with $4,500 at the Paramount.

Estimated takings for the week ending Oct. 26-27:

"Those High Grey Walls" (Col.)
"Everything's On Ice" (RKO)
"Shipyard Sally" (20th-Fox)
"No Place to Go" (F. N.)
ASTER—(900) (15c-25c) dual bills, split week. Gross: $1,750. (Average, $1,500)
"The Old Maid" (W. B.)
CENTURY—(1,600) (25c-40c) 7 days, 2nd week. Gross: $4,800. (Average, $4,000)
"All Quiet on the Western Front" (Univ.)
GOPHER—(990) (25c) 7 days. Gross: $4,900. (Average, $2,500)
"When Tomorrow Comes" (Univ.)
ESQUIRE—(290) (25c-40c) 7 days, 2nd week. Gross: $1,300. (Average, $700)
"Mutiny in the Big House" (Mono.)
MINNESOTA—(4,200) (20c-40c) 7 days. Roscoe Ates and stage show. Gross: $5,500. (Average, $6,000)
"Fast and Furious" (M-G-M)
ORPHEUM—(2,900) (25c-40c) 7 days. Marie Wilson and Blackstone. Gross: $10,500. (Average, $4,800)
"Hollywood Cavalcade" (20th-Fox)
STATE—(2,300) (25c-40c) 7 days. Gross: $6,500. (Average, $4,400)
"They Shall Have Music" (U. A.)
WORLD—(400) (25c-55c) 7 days, 2nd week. Gross: $2,300. (Average, $1,600)

ST. PAUL:

"Thunder Afloat" (M-G-M)
ORPHEUM—(2,000) (25c-40c) 7 days. Gross: $3,700. (Average, $3,200)
"Hollywood Cavalcade" (20th-Fox)
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $4,500. (Average, $4,400)
"Angels Wash Their Faces" (W. B.)
RIVIERA—(1,000) (25c) 7 days. Gross: $2,900. (Average, $1,800)
"U-Boat 29" (Col.)
"No Place to Go" (W. B.)
TOWER—(1,000) (25c) 7 days. Gross: $2,900. (Average, $1,600)
"Stolen Life" (Para.)
WORLD—(400) (25c-55c) 7 days. Gross: $1,500. (Average, $700)

'Intermezzo' Pulls $6,800, New Haven

NEW HAVEN, Nov. 2.—"Intermezzo, a Love Story" and "The Under-Pup" took $6,800 at the Roger Sherman. Second week of "Hollywood Cavalcade" and "Behind Prison Gates" at the College grossed $3,100.

Estimated takings for the week ending Oct. 26:

"Hollywood Cavalcade" (20th-Fox)
"Behind Prison Gates" (Col.)
COLLEGE—(1,499) (35c-50c) 7 days, 2nd week. Gross: $3,100. (Average, $2,700)
"Dancing Co-Ed" (M-G-M)
"They Shall Have Music" (U. A.)
LOEW-POLI—(3,040) (35c-50c) 7 days. Gross: $7,000. (Average, $8,000)
"Jamaica Inn" (Para.)
"Quick Millions" (20th-Fox)
PARAMOUNT—(2,348) (35c-50c) 5 days, 2nd week. Gross: $4,000. (Average, $4,000)
"Intermezzo, a Love Story" (U. A.)
"The Under-Pup" (Univ.)
ROGER SHERMAN—(2,200) (35c-50c) 7 days. Gross: $6,800. (Average, $5,000)

Royal Visit Film Due

MONTREAL, Nov. 2.—According to word from Ottawa, release of the official Government film on the Royal Visit is expected shortly. It was prepared by the Dominion Motion Picture Bureau under the direction of Captain Frank C. Badgley, director of the bureau, when their Majesties visited Canada and the U. S. early this year. Several Government members have already previewed the film.

Theatre, Personnel Notes

Dubinsky Brothers Shift

KANSAS CITY, Nov. 2.—Irwin Dubinsky, who has been managing the Dubinsky Brothers' Leavenworth, Kan., theatres, has been shifted to St. Joseph, Mo., where he will occupy the same post. He succeeds H. W. Dubinsky, two years at St. Joseph, who is coming into the home office of the circuit at the Liberty here. Barney, another brother, in Arizona recuperating from an automobile accident, formerly was in charge of St. Joseph.

Photophone Deals Closed

RCA Photophone sound equipment will be installed at the following theatres: Ridgefield, Ridgefield, Conn.; Grand, Linton, Ind.; Vogue, Louisville; the new house being built for J. B. Vaughn at Nacona, Texas, and Joy N. Houck's Joy Theatre, Mamou, La.

Griffith Shifts Sage

KANSAS CITY, Dec. 2. — Griffith-Dickinson Theatres, Inc., has transferred Jack Sage from Chillicothe, Mo., where he has been assistant manager, to Marceline, Mo., where he is manager of the Uptown and Chief. Sage replaces Byron Truex.

House Opens Today

INDIANAPOLIS, Nov. 2. — The Esquire, new addition to the Cantor circuit, will open Friday. It is a northside neighborhood, the old Garrick, completely rebuilt at a cost of about $20,000. Don Wright, formerly with the Rivoli and Emerson, is manager.

Build in North Carolina

ROCKINGHAM, N. C., Nov. 2.—Construction work is going forward on Rockingham's new theatre, which is being erected for Henry C. Wall. The new house will seat 500 and is expected to be ready in January.

Windsor Theatre Formed

WINDSOR, Conn., Nov. 2.—Windsor Theatre, Inc., has been incorporated with E. Mignon Clark and Marshall Banever of New Haven, and Miriam T. Peck, of Derby, as incorporators.

Kansas Theatre Ready

KANSAS CITY, Nov. 2. — O. L. Christian, who operates theatres in Melvern and Lane, Kan., will open the new Uptown at Blue Mound, Kan., tomorrow. It seats 260.

Leach Joins Ross Federal

NEW HAVEN, Nov. 2. — Charles Leach, former Gaumont British representative here, is now local manager of Ross Federal Service.

Start Georgia House

ELBERTON, Ga., Nov. 2.—Foundation for Elberton's new theatre, to cost approximately $50,000, has been started. The house will seat 1,000.

Loew's Reseating Theatres

NEW HAVEN, Nov. 2.—Loew's will reseat the balcony of the Bijou. Work on reseating the Loew's Globe, Bridgeport, is nearing completion.

Theatre to Open Nov. 13

SALLEY, S. C., Nov. 2. — Salley's new theatre, seating 375, will be opened formally on Nov. 13.

Tri-States Opening Two

DES MOINES, Nov. 2. — Tri-States Theatre Corp. plans to open the Esquire in Davenport, and the new Rocket in Rock Island, Ill., on Nov. 23 with special Thanksgiving features. The Esquire seats 760 and the new Rocket 747.

Take Kansas City House

KANSAS CITY, Nov. 2.—C. H. Potter and C. E. Esterley, both operators of three suburban houses here, have formed a company to take over the operation of the Mary Lue from Morris Wiber.

Drops Two Theatres

KANSAS CITY, Nov. 2. — Simon Galitzki, who has the Coed and Novelty in Topeka, Kan., has relinquished operation of the Princess and Kaw, North Topeka, to Mrs. Delia Deutsch of Kansas City, Kan., his sister.

Pern Transferred

Harold Pern has been shifted from his assistant manager's post at the Triangle to the Elm in the same capacity. Both houses are in Brooklyn.

Plans House in Albany, Ga.

ALBANY, Ga., Nov. 2. — Clair E. Hilgers of Atlanta plans a film theatre here seating 600. Work will start immediately.

Takes Florida House

AVON PARK, Fla., Nov. 2.—Scott Rutherford of Wauchula has taken over the management of the Park.

Quits 20th-Fox Post

DES MOINES, Nov. 2.—Eva Hunter, contract clerk for the past two years at 20th Century-Fox, has resigned to take a position in Kansas City.

Negro House Opens

CAMDEN, Ark., Dec. 2. — A new Negro theatre has been completed here.

'Smith' Is Smash $14,000 in Buffalo

BUFFALO, Nov. 2. — "Mr. Smith Goes to Washington" drew a smash $14,000 at the Lafayette, ringing up a new seven-day attendance record for that house. "Babes in Arms" turned in a good $17,000 at the Buffalo.

Estimated takings for the week ending Oct. 28:

"Babes in Arms" (M-G-M)
"Information Please" (RKO)
BUFFALO—(3,000) (30c-35c-55c) 7 days. Gross: $17,000. (Average, $12,000)
"Intermezzo, a Love Story" (U. A.)
GREAT LAKES—(3,000) (30c-50c) 7 days. Gross: $7,200. (Average, $7,500)
"Dancing Co-Ed" (M-G-M)
"Waterfront" (W. B.)
HIPPODROME—(2,500) (25c-35c) 7 days. Gross: $5,000. (Average, $6,800)
"Full Confession" (RKO)
"Nancy Drew and the Hidden Staircase" (W. B.)
TWENTIETH CENTURY—(3,500) (25c-35c) 7 days. Gross: $5,200. (Average, $5,200)
"Mr. Smith Goes to Washington" (Col.)
LAFAYETTE—(3,300) (25c-35c) 7 days. Gross: $14,000. (Average, $6,300)

Union Names Delegates

NEW HAVEN, Nov. 2. — B-41 exchange employes union has appointed Kathryn Fitzgerald, business agent, Jack Mullen, president, and Robert Hoffman to attend the five-state meeting in Albany, N. Y., on Saturday.

'Golden Boy' Leads Loop With $15,600

CHICAGO, Nov. 2 — "Bachelor Mother" and "Golden Boy" scored $15,600 at the Oriental. "Hollywood Cavalcade" took $33,000 at the [illegible]cago, and "Miracles for Sale," a Major Bowes unit at the State-Lake, drew $14,400.

Estimated takings for the week ending Oct. 25-28:

"The Rains Came" (20th-Fox)
APOLLO — (1,400) (25c-55c-75c) 7 days. Gross: $5,000. (Average, $6,000)
"Hollywood Cavalcade" (20th-Fox)
CHICAGO — (4,000) (35c-55c-75c) 7 days. Stage: Vaudeville Revue. Gross: $33,000. (Average, $32,000)
"Television Spy" (Para.)
"Pack Up Your Troubles" (20th-Fox)
GARRICK — (900) (35c-40c-65c) 7 days. Gross: $6,200. (Average, $5,000)
"Bachelor Mother" (RKO)
"Golden Boy" (Col.)
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $15,600. (Average, $13,000)
"Fifth Avenue Girl" (RKO)
PALACE—(2,500) (35c-55c-75c) 7 days. Stage: Joe Cook and Revue. Gross: $19,000. (Average, $18,000)
"Four Feathers" (U. A.)
ROOSEVELT—(1,300) (35c-55c-75c) 7 days, 2nd week. Gross: $9,800. Average, $11,000)
"Miracles For Sale" (M-G-M)
STATE-LAKE — (2,700) (25c-35c-40c) 7 days. Stage: Major Bowes Unit. Gross: $14,400. (Average, $12,000)
"Babes in Arms" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 2nd week. Gross: $13,000. (Average, $14,000)

'Smith' Cincinnati Smash at $17,500

CINCINNATI Nov. 2.—"Mr. Smith Goes to Washington" was the heaviest grosser with $17,500 at the RKO Albee, while "Babes in Arms" garnered an excellent $7,300 on its second downtown week at RKO Capitol.

Estimated takings for the week ending Oct. 25-28:

"Mr. Smith Goes to Washington" (Col.)
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $17,500. (Average, $12,000)
"Eternally Yours" (20th-Fox)
RKO PALACE—(2,700) (35c-42c) 6 days. Gross: $9,000. (Average, 7 days, $10,000)
"Full Confession" (RKO)
RKO SHUBERT—(2,150) (40c-60c) 7 days. Stage: Joe E. Brown and acts. Gross: $12,000. (Average, $10,000)
"Babes in Arms" (M-G-M)
RKO CAPITOL—(2,000) (35c-42c) 7 days, 2nd week. Gross: $7,300. (Average. $6,500)
"U-Boat 29" (Col.)
RKO LYRIC—(1,400) (25c-40c) 7 days. Gross: $5,700. (Average, $5,000)
"Stunt Pilot" (Mono.)
"Night Work" (Para.)
RKO FAMILY—(1,000) (15c-25c) 4 days. Gross: $1,300. (Average, $1,500)
"The Escape" (20th-Fox)
"Stop, Look and Love" (20th-Fox)
RKO FAMILY—(1,000) (15c-25c) 3 days. Gross: $900. (Average, $900)
"Fast and Furious" (M-G-M)
KEITH'S — (1,500) (30c-40c) 7 days. Gross: $4,200. (Average, $6,000)

Schines Win Verdict

GLOVERSVILLE, N. Y., Nov. 2.—Supreme Court Justice Ellsworth C. Lawrence rendered a $1,200 verdict here which gave the Schine Theatrical Enterprises, Inc., a complete victory in litigation that has extended over more than six years against the Massachusetts Bonding and Insurance Co. The suit grew out of the death in 1933 of William Brady, who was burned in a fire at the projection booth of the Empire, Glens Falls, N. Y.

WHY THE BIG GRIN?

Has the cat swallowed the canary?



NOPE...

just been reading the RAVES on Paramount's "The CAT and the CANARY"



The Reviews ARE THE CAT'S!

"A combination of mystery and comedy that will chill you to the marrow, then leave you limp with laughter. Bob Hope's best picture!" *—Jimmie Fidler, famous newspaper and radio columnist*

"The outstanding chiller of the year. Bob Hope at his best!" *—Robbin Coons, Associated Press*

"The best mystery in years!" *—Erskine Johnson, King Features Syndicate*

"One of the most successful whodunits of this season." *—Film Daily*

"Top-notch comedy murder mystery . . . first feature on any bill." *—Hollywood Reporter*

"Bob Hope and Paulette Goddard a solid click in 'The Cat and the Canary'." *—Ed Sullivan, famous New York Daily News columnist*

"A wedding of laugh and thrill so neatly contrived as to equal, virtually, a new film formula, inducing shrieks of terror and shrieks of laughter." *—Motion Picture Daily*

Paramount Pictures



Paramount's

"The CAT and the CANARY"

starring **Bob Hope** and **Paulette Goddard** with **John Beal**

Douglass Montgomery • Gale Sondergaard • Elizabeth Patterson • George Zucco

A Paramount Picture • Directed by ELLIOTT NUGENT • Screen Play by Walter De Leon and Lynn Starling • Based on the Stage Play by John Willard

SEC Reports Picture Stock Acquisitions

WASHINGTON, Nov. 2.—Acquisition in September of 3,014 shares of Pathe Film common stock by Allan P. Kirby, Jersey City, director, through Holding Company B, and disposition by Kenneth M. Young, New York, of his entire holdings of 300 shares were reported today by the Securities and Exchange Commission in its semi-monthly summary.

At the close of the month, the report showed, Kirby held 2,100 shares of Pathe common direct, 1,000 shares through Holding Company A, 3,914 shares through Holding Company B and 600 shares in a trust.

The only other large transaction reported was the acquisition of 1,100 shares of 20th Century-Fox common stock by Joseph M. Schenck, chairman of the board, bringing his holdings to 110,043 shares of common and 18,284 shares of preferred.

A number of relatively small deals were reported by the SEC, including the disposition by Jack Cohn, vice-president, of 10 Columbia Pictures common voting trust certificates, reducing his holdings to 31,621 certificates and 555 shares of common stock; acquisition by John J. McCaffrey, New York, director, through H. D. Best McCaffrey Co., of 10 shares of Keith-Albee-Orpheum preferred, bringing his holdings to 70 shares; and acquisition by Loew's, Inc., of another 85 shares of Loew's Boston Theatres common, of which it held 99,945 shares at the close of September.

Also reported was the disposition of 500 shares of Monogram Pictures common stock by George W. Weeks, general sales manager, reducing his holdings to 500 shares held direct and 800 shares held through Monogram Pictures, Inc., together with 7,141 options for common held through the holding company; acquisition of 200 common voting trust certificates of Universal Corp. by Nathan J. Blumberg, president, bringing his holdings to 3,200; 100 certificates by William Freiday, New York, director, bringing his holdings to 1,300 with another 1,500 held through a holding company, and 200 certificates by Charles D. Prutzman, general counsel, bringing his holdings to 700. Prutzman also acquired 10 shares of Universal Pictures first preferred, bringing his interest to 20 shares.

Disposition of 281 shares of Columbia Broadcasting Class B stock was reported by Isaac D. Levy, Philadelphia, director, reducing his holdings to 22,834 shares of that class and 61,981 shares of Class A, and an August report showed that Herbert V. Akerberg, New York, officer, had disposed of his entire holdings of 230 shares of Class A.

Opens D. C. Branch

PHILADELPHIA, Nov. 2.—International Pictures Distributing Co., Inc., new firm here, will open a branch in Washington next week. The company distributes Alliance Films product and the Mayer-Burstyn pictures in the Philadelphia and Washington territories.

English Church Services Are Held in Film Houses

By AUBREY FLANAGAN

LONDON, Oct. 18 (*By Mail*)—Following experiments in certain English towns, already reported, the Religious Film Society plan to hold church services on Sunday evenings in local theatres. The scheme aims at saving the churches the trouble of blacking out their windows.

Children's matinees are to be banned in Birkenhead, ship building center in the north east of England, during the war. The Chief Constable is opposed to large gatherings of children in the afternoons because of the possible danger.

The Royal Gala Performance, which was to have been held at the Gaumont State Theatre, Kilburn, this month, to aid the Cinematograph Trade Benevolent Fund, has been postponed.

Film houses in Portsmouth, Britain's naval center, have asked the authorities that the "yellow" warning be passed on to them when there is a possibiilty of an air raid.

The "yellow" signal is a precautionary warning handed out to A.R.P. centers and others if an air raid is thought imminent or possible. It is not a final warning.

Birmingham has followed the example of London and has set up staggered hours for film houses and music halls. The regulations, worked out between the local entertainment committee and the Chief Constable on the one hand, and managers of theatres and music halls on the other, will apply to both weekdays and Sundays, but will entail no great alteration in the hours of opening.

The first wartime show in aid of a charitable cause was held at the Odeon, Leicester Square, when RKO's "Nurse Edith Cavell" had its premiere. The performance, in aid of the Red Cross, was attended by the Lord Mayor of London and numerous titled people.

A system of booking seats in advance instead of box-office lines, is being tried out in Manchester houses. Two evening performances are given—one from 6 P. M. to 7:50 P. M., and another from 8:05 P. M. to 10 P. M. It is a condition of the permits that for the second performance seats must be booked in advance.

Twenty traveling film units are touring the reception areas of Scotland under a scheme launched by the Ministry of Information.

Shows have been given in country towns and villages mostly with the collaboration of local educational authorities. The average daily showing is twice in each district.

Two deaths were recorded in the trade during the second week in October. Leila Stewart, for some time publicity manager for General Film Distributors, died on Oct. 7, and Norman Wright, chairman of the South Wales branch of the C.E.A., died on Oct. 12.

Restrains Pickets At Seattle Theatre

SEATTLE, Nov. 2.—Ruling that no labor dispute existed, Superior Court Judge Robert J. Willis has granted a temporary restraining order preventing the operators union, Local 154, from picketing the First Avenue Theatre.

Picketing began last week when Hanna Morgan, Henry Moorman and Carl W. Paysen, partners in the theatre, discharged an operator and replaced him. Judge Willis maintained there was no dispute between employer and employes on wages, hours or working conditions. The union is attempting to force reinstatement of the discharged operator.

Roxy Book Wins Award

The Roxy Souvenir Book, on sale at the theatre, won an award by the New York Employing Printers Association at its fifth annual exhibition at the Hotel Commodore this week.

Detroit Club's Milk Drive Nets $35,000

DETROIT, Nov. 2.—More than $35,000 was realized in the Detroit Variety Club's Milk Fund tag day held here recently. The club also obtained more than 100 tons of clothing.

The collection was for the benefit of underprivileged school children. The milk will be distributed through the public schools.

E. E. Kirschner of Harris Amusement Co. and Variety Club's past chief barker, was chairman of the drive, conducted with the cooperation of the Volunteers of America, the schools and civic organizations. More than 15,000 containers were used for the collection.

This was the club's first milk tag day, and it is planned to make it an annual event.

Thousand Picture Men Came for Fair

More than a thousand theatre and film men, many with their families, visited New York during the six months of the World's Fair. For many this was their first trip here. They came from all over the world.

More than 500 registered at the RKO World's Fair Lounge, says H. M. Richey of the company. Paramount, Warners and M-G-M also provided facilities for visitors. At the M-G-M booth in Times Square, tied in with Loew theatres, there were about one million registrants or inquiries from out of town.

Schlager and Green Are Due from Coast

Sig Schlager, president and general manager, and George Green, executive vice-president of Producers' Corporation of America, will arrive in New York over the weekend.

The executives of the newly-formed organization are coming East to discuss their first film, "Kingdom Come," with its star, John Charles Thomas, and its author, Adela Rogers St. Johns. They will seek a possible distribution deal.

Noted French Novelist Here On Film Deal

Maurice DeKobra, noted French novelist and playwright, has become affiliated with Continental Productions, Inc., which plans to produce a dramatized version of "The Widow With the Pink Gloves," a DeKobra novel.

The play will be given a Broadway production and a film treatment is also being prepared. Erwin Piscator, German producer, is participating in the company and will direct the play, which will have a current war background.

DeKobra arrived the other day from France and plans to remain here indenfiitely as both stage and film production has virtually ceased in his country. He said the 11 P. M. curfew has disrupted Paris night life. There are no legitimate shows, except for an occasional performance by the Theatre Francaise. All theatres, including film houses, must close at 10:30 P. M. Theatre attendance is limited to one-third of capacity.

The recently appointed French film commission is attempting to work out a plan whereby the Government will permit service leaves for technicians, actors and others for a few months at a time, subject to war conditions, in order to allow resumption of film production. The lack of staffs and talent has crippled studio operations.

The pictures planned by the new film regime will be not only for native consumption but to maintain the French export market.

Production of "Madonna of the Sleeping Cars," a DeKobra story, was scheduled to start at a Paris studio last month, but the war prevented it.

DeKobra's novel, "The Sphinx Has Spoken," was produced by RKO in 1931 as "Friends and Lovers."

While here DeKobra is handling a special assignment for *Le Journal*, Paris newspaper. He has interviewed Mayor F. H. LaGuardia and will interview other leaders here on the war situation.

Obtain More Time In Ohio Tax Action

COLUMBUS, O., Nov. 2.—Defense attorneys have obtained an extension until Nov. 15 in which to file answer in the suit of John V. Bostwick, a taxpayer, who seeks a mandamus order against the Ohio Tax Commission to compel collection of the three per cent sales tax on film rentals within the state, dating from inception of the law three years ago. Attorneys previously had obtained extension until Nov. 1.

Accumulated taxes to date amount to slightly more than $2,000,000, in addition to interest and penalties, and are continuing to accrue.

Ballerina in 'Florian'

HOLLYWOOD, Nov. 2.—Irina Baronova, ballerina of the Ballet Russe, has been signed by M-G-M to play in "Florian," soon to go before the cameras with Winfield Sheehan as producer.

MOTION PICTURE DAILY'S BOOKING CHART

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Sept. 29		Dancing Coed *Lana Turner Richard Carlson Artie Shaw*	Crashing Thru *James Newill* The Fight for Peace	Honeymoon in Bali *Madeleine Carroll* Range War (O)	The Arizona Kid *Roy Rogers*	Nurse Edith Cavell *Anna Neagle Edna May Oliver* (G) (D)	Here I Am A Stranger *Richard Greene Roland Young*	The Real Glory *Gary Cooper Andrea Leeds*	Rio *Sigrid Gurie Basil Rathbone Robert Cummings*	A Child Is Born *Geraldine Fitzgerald* Espionage Agent *Joel McCrea*
Oct. 6	U-Boat 29 *Conrad Veidt Valerie Hobson*	Fast and Furious *Ann Sothern Franchot Tone*		What a Life *Jackie Cooper Betty Field*	Kansas Terrors *Jacqueline Wells The Three Mesquiteers*	Everything's On Ice *Irene Dare Edgar Kennedy*	The Escape *Kane Richmond Amanda Duff*	Eternally Yours *Loretta Young David Niven*	Hero for a Day *Anita Louise Dick Foran*	Pride of the Blue Grass *Edith Fellows Gantry the Horse*
Oct. 13	Scandal Sheet *Otto Kruger Ona Munson*	Babes in Arms *Mickey Rooney Judy Garland*		Jamaica Inn *Charles Laughton Maureen O'Hara*	Sabotage *Arleen Whelan*	Three Sons *Edward Ellis Virginia Vale*	Road to Glory *Fredric March* Hollywood Cavalcade *Alice Faye Don Ameche*		Tropic Fury *Richard Arlen*	On Your Toes *Zorina*
Oct. 20	Mr. Smith Goes to Washington *Jean Arthur James Stewart*	At the Circus *Marx Brothers*	Mutiny in the Big House Riders of Destiny Sagebrush Trail	Television Spy *William Henry Judith Barrett*			Pack Up Your Troubles *Jane Withers* Shipyard Sally *Gracie Fields Sidney Howard*		Oklahoma Frontier	Smashing the Money Ring *Ronald Reagan Rosella Towne*
Oct. 27	Beware Spooks *Joe E. Brown Mary Carlisle*	Bad Little Angel *Virginia Weidler*	Danger Flight Overland Mail *Jack Randall*	Disputed Passage *Dorothy Lamour Akim Tamiroff*	Jeepers Creepers *Weaver Bros. & Elviry*	Sued for Libel *Kent Taylor Linda Hayes*	20,000 Men a Year *Randolph Scott* The First World War	Housekeeper's Daughter *Joan Bennett Adolphe Menjou*	Tower of London *Basil Rathbone* Little Accident *Baby Sandy*	The Roaring Twenties *James Cagney Priscilla Lane*
Nov. 3	The Stranger from Texas	Ninotchka *Greta Garbo Melvyn Douglas*	Heroes in Blue *Dick Purcell* Fighting Mad *James Newill*	Law of the Pampas *William Boyd Russell Hayden*	Main Street Lawyer *Edward Ellis Anita Louise*	Flying Deuces *Laurel & Hardy* Marshal of Mesa City *George O'Brien*	Heaven with Barbed Wire Fence *Jean Rogers*		Call a Messenger The Road Back Legion of Lost Flyers *Richard Arlen*	Kid Nightingale *John Payne Jane Wyman*
Nov. 10	Blondie Brings Up Baby *Penny Singleton*	Remember? *Robert Taylor Greer Garson*	The Phantom Strikes *Sonny Hale* Raiders Over England	Cat and the Canary *Bob Hope Paulette Goddard*	Rovin' Tumbleweeds *Gene Autry Mary Carlisle*	Allegheny Uprising *John Wayne Claire Trevor*	Drums Along the Mohawk *Henry Fonda Claudette Colbert*		First Love *Deanna Durbin* One Hour to Live *Doris Nolan*	Private Lives of Elizabeth and Essex *Bette Davis Errol Flynn*
Nov. 17		Secret of Dr. Kildare *Lew Ayres Lionel Barrymore*		Rulers of the Sea *Douglas Fairbanks, Jr.*	Saga of Death Valley *Roy Rogers* The Covered Trailer *Gleason Family*	Meet Dr. Christian *Jean Hersholt*	Too Busy to Work *Jones Family*		Destry Rides Again *Marlene Dietrich James Stewart*	Dead End Kids on Dress Parade
Nov. 24	The Amazing Mr. Williams *Joan Blondell Melvyn Douglas*	Another Thin Man *William Powell Myrna Loy*	Roll, Wagons, Roll *Tex Ritter*	Our Neighbors, the Carters *Frank Craven Fay Bainter*		That's Right, You're Wrong *Kay Kyser Adolph Menjou*	Day-Time Wife *Tyrone Power Linda Darnell*		Invisible Man Returns *Sir Cedric Hardwicke Nan Grey*	We Are Not Alone *Paul Muni Jane Bryan Flora Robson*
Dec. 1	I Married Adventure *Osa Johnson* Cafe Hostess *Preston Foster Ann Dvorak*	A Call on the President *Ann Sothern Louis Stone*	Yukon Flight *James Newill*	Night of Nights *Pat O'Brien Olympe Bradna*	Cowboys from Texas *The Three Mesquiteers Carol Landis*	Reno *Richard Dix Gail Patrick*	City in Darkness *Sidney Toler* Inspector Hornleigh on Holiday		Laugh It Off *Johnny Downs Constance Moore*	Return of Dr. X *Humphrey Bogart Rosemary Lane*

Paramount Pictures

Book these PARAMOUNT SHORTS when you book your features!

OCTOBER 27 Headliner—in Cinecolor MOMENTS OF CHARM OF 1940 Phil Spitalny and Girl Orchestra

OCTOBER 27 Symphonic Series MERRY WIVES OF WINDSOR

NOVEMBER 3 Grantland Rice Sportlight A DOG IS BORN

NOVEMBER 3 Popeye the Sailor NEVER SOCK A BABY

100% BOX OFFICE tested

Trade Backs Federation's Charity Drive

(Continued from page 1)

president of Columbia, and License Commissioner Paul Moss will serve as vice-chairmen.

George Z. Medalie, chairman of the appeal, pointed out the importance of the amusements division in the Federation picture.

"Under the five-year leadership of Bernstein and Major Warner, the film business has increased its annual contribution five-fold to the Federation, which supports 116 institutions," Medalie said. "The film and theatrical group is well on its way to becoming the outstanding division among the 140 trade and professional groups doing the volunteer fund-raising."

Figures quoted by Medalie showed that the division had increased its gifts to the Federations from $30,000 in 1934 to $175,000 in 1938. No quota as yet has been set for this year.

Committee chairmen named at yesterday's meeting follow:

Columbia Pictures, Abe Schneider and Max Seligman; Loew's-M-G-M, Oscar Doob; National Screen Service, Herman Robbins; Paramount, Arthur Israels; Universal, Joseph Seidelman; Warner Bros., Max Blackman and Joseph Hazen; independents, Budd Rogers; publications, Jack Alicoate and Sam Shain.

Artists, Eddie Duchin, Marvin Schenck and Jesse Block; artists representatives, William Morris, Herbert Rosenthal and Sidney Piermonte; theatrical attorneys, William Klein, Louis Nizer and Julian T. Abeles; broadcasting, Bertram Le Bharr; independent theatre owners, William Brandt, Leo Brecher, Louis Frisch, Joseph Springer, Walter Reade, Jr., Samuel Rinzler, Max Rudnick, Edward N. Rugoff, Samuel Straussberg and Sam Goodman; laboratories, Jack Goetz, Alan E. Freedman, Ralph I. Poucher and Frank Meyers.

Legitimate theatres, Marcus Heiman and William Klein; music publishers and composers, Louis Bernstein and Jack Robbins; accessories, B. S. Moss, Frank Myer, Emil Friedlander, Fred Lakeman, Jerome Loeb, Eugene Picker and Charles Sonin.

'Passage' $16,000 Sets Detroit Pace

DETROIT, Nov. 2.—The World premiere of "Disputed Passage" drew $16,000 at the Michigan.

Estimated takings for the week ending Oct. 26:

"The Under-Pup" (Univ.)
"Fifth Avenue Girl" (RKO)
ADAMS—(1,700) (15c-40c) 7 days. Gross: $5,000. (Average, $5,000)
"Beau Geste" (Para.)
"When Tomorrow Comes" (Univ.)
FISHER—(2,800) (15c-40c) 7 days. Gross: $4,500. (Average, $4,500)
"Hollywood Cavalcade" (20th-Fox)
"The Witness Vanishes" (Univ.)
FOX—(5,000) (25c-55c) 7 days. Gross: $12,000. (Average, $12,000)
"Disputed Passage" (Para.)
"Nancy Drew and the Hidden Staircase" (Univ.)
MICHIGAN—(4,000) (15c-60c) (Premiere $1.10-$2.20 one night) 7 days. Gross: $16,000. (Average, $10,000)
"Thunder Afloat" (M-G-M)
"The Old Maid" (W. B.)
PALMS—(3,000) (15c-50c) 7 days. Gross: $7,000. (Average, $5,000)
"Babes in Arms" (M-G-M)
UNITED ARTISTS—(2,100) (15c-55c) 7 days. Gross: $12,000. (Average, $10,000)

New York Review

"The Flying Deuces"

(Morros-RKO)

Compounded largely of the elements of comedy which in the past have made Stan Laurel and Oliver Hardy extremely popular in the short subject field, "The Flying Deuces" should prove entertaining fare especially for devotees of the Laurel-Hardy technique.

A. Edward Sutherland, director, wisely devoted practically all the footage to the pair of American fish peddlers vacationing in Paris, who enter the Foreign Legion so that Oliver may forget a girl with whom he falls in love.

Jean Parker and Reginald Gardiner support the stars in this Boris Morros production, for which the original story and screenplay emerged from the combined efforts of Ralph Spence, Alfred Schiller, Charles Rogers and Harry Langdon.

Highlighting the amusing sequences, aside from the regular run of Laurel-Hardy comedy antics, many of the slapstick variety, are the attempt at suicide by Hardy, who persuades Laurel to join him; the pursuit through a narrow tunnel as the pair attempt to escape sentence of death for desertion from the Legion, and the wild and woozy flight of the two in a plane which inadvertently sets off with them aboard.

Running time, 69 minutes. "G."* CHARLES S. AARONSON.

**"G" denotes general classification.*

English Industry Seeks Aid of U.S.

LONDON, Nov. 2.—With Ambassador Joseph P. Kennedy constantly conferring at Whitehall on the question of remittances by film companies to the United States, it is increasingly believed here that legislative changes are bound up with the question of American financial assistance, direct or indirect, to the British film industry.

It is understood the Board of Trade is considering the formation of a film financing corporation, qualified to make loans for production enterprises. The plan would necessitate an amendment to the blind booking sections of the Films Act, to permit exhibitors to guarantee playdates.

'Babes' Hits $14,500 Kansas City Gross

KANSAS CITY, Nov. 2.—"Babes in Arms" scored at the Midland with $14,500. Other bills fared poorly in the hot weather.

Estimated takings for the week ending Oct. 24-26:

"Hollywood Cavalcade" (20th-Fox)
ESQUIRE—(800) (25c-40c) 7 days, 2nd week. Gross: $2,500. (Average, $3,000)
"Babes in Arms" (M-G-M)
"Scandal Sheet" (Col.)
MIDLAND — (4,000) (25c-40c) 7 days. Gross: $14,500. (Average, $10,500)
"Jamaica Inn" (Para.)
NEWMAN — (1,900) (25c-40c) 7 days. Gross: $4,100. (Average, $7,000)
"The Angels Wash Their Faces" (W. B.)
"No Place To Go" (W. B.)
ORPHEUM — (1,500) (25c-40c) 6 days. Gross: $3,300. (Average, 6 days, $4,300)
"The Under-Pup" (Univ.)
TOWER—(2,200) (25c) 7 days. Stage: Carter & Holmes; Allen, Stone & Allen; The Karolis. Gross: $4,200. (Average, $5,000)
"Hollywood Cavalcade" (20th-Fox)
UPTOWN—(2,000) (25c-40c) 7 days, 2nd week. Gross: $3,100. (Average, $3,500)

Roosevelt Backs Benefit

President Roosevelt has given his support to the United Palestine Appeal, sponsor of the forthcoming "Night of Stars" at Madison Square Garden, in a message to Nathan Straus, chairman of the benefit.

Church Advertizes

Cooperative ads aren't news except when you get one from a church. That's what happened in Washington the other day when Ray Bell, Loew publicity director there, arranged for Eddie Cantor to speak at a church attended by the late Calvin Coolidge. The church bought space in the papers to advertise the meeting. Cantor's subject was "Christianity and Democracy."

Technicians Local Loses Court Ruling

HOLLYWOOD, Nov. 2.—Howard Robertson and eight other former members of the Studio Technicians Local 37, I.A.T.S.E., today lost another fight against the International officers when their application for an injunction to restrain dissolution of the local and seeking accounting of $22,000 in funds was dismissed without prejudice by Superior Judge E. H. Wilson. He ruled the matter is for the state courts to determine.

'Smith' and 'Babes' Lead in Cleveland

CLEVELAND, Nov. 2.—"Mr. Smith Goes to Washington" at Warners' Hippodrome and "Babes in Arms" at Loew's State were tops here, each grossing $15,000.

Estimated takings for the week ending Oct. 26:

"Hollywood Cavalcade" (20th-Fox)
ALLEN—(3,000) (30c-35c-42c) 7 days, 2nd week. Gross: $3,000. (Average, $4,000)
"Mr. Smith Goes to Washington" (Col.)
WARNER'S HIPPODROME—(3,800) (30c-35c-42c) 7 days. Gross: $15,000. (Average, $11,000)
"Here I Am a Stranger" (20th-Fox)
RKO PALACE—(3,100) (30c-42c-55c) 7 days. Stage show. Gross: $12,000. (Average, $14,000)
"Babes In Arms" (M-G-M)
LOEW'S STATE—(3,500) (30c-35c-42c) 7 days. Gross: $15,000. (Average, $11,000)
"What A Life" (Para.)
LOEW'S STILLMAN—(1,900) (30c-35c-42c) 7 days. Gross: $2,500. (Average, $4,000)

Beware Latin 'Boomerang', Says Golden

(Continued from page 1)

South American production. The best we can hope from the war situation, he said, is that we will obtain 10 per cent of the time now given to European pictures.

Golden admitted that mistakes have been made by American companies, but said that the major companies should not be criticized for errors of independent distributors. In this connection he praised the work of the Hays' office foreign department under Major Frederick L. Herron.

The South American speakers declared that American producers and distributors fail to grasp the needs of the Latin American market, but felt that close understanding and willingness to cooperate with the South American interests can remedy the situation.

José Bensaude, commercial advisor to Portugal's World's Fair Commission and special delegate of the Lisbon Chamber of Commerce, spoke on the film needs of the Portuguese speaking countries.

The meeting was sponsored in conjunction with *Teatro al Dia*, a Quigley publication.

Among those attending were a number of South American film and theatre men now in this country, as well as executives of film companies' foreign departments.

Palace Will Play 'Allegheny' Single

The Palace will get the first run of "Allegheny Uprising" on Nov. 10 and will play it on a single feature and shorts policy for the run of the film. No general change in policy is contemplated for the house, however.

Grosses along Broadway were generally strong, although several films failed to draw very well. "Babes in Arms" continued to set a good pace at the Capitol, where it took an estimated $35,000 for its second week and is held for a third. The Roxy gross was slightly off, with an estimated $28,000 for "20,000 Men a Year." "Drums Along the Mohawk" starts today.

Also somewhat under par was "On Dress Parade" at the Strand with an estimated $31,000. It will hold for a second week, however. "Rio" took an estimated $7,000 at the Globe.

New Trans-Lux Booker

Buying and booking for the Trans-Lux theatres on Madison and Lexington Aves. is now being handled through the home office of the Trans-Lux Movies Corp., which operates the houses. Leo Brecher formerly represented the theatres.

'Live' Opens Monday

"That They May Live," French film directed by Abel Gance, and distributed in this country by Arthur Mayer and Joseph Burstyn, Inc., will open Monday evening at the Filmarte, following the run of "The End of a Day."

$21,000 Yield From 'Babes' In Pittsburgh

PITTSBURGH, Nov. 2.—"Babes in Arms" took $21,000 at Loew's Penn, while "Dancing Co-Ed" did $20,000 for the Stanley, supplemented by Ted Weems on the stage.

Estimated takings for the week ending Oct. 26:

"Hollywood Cavalcade" (20th-Fox)
ALVIN—(1,900) (25c-35c-50c) 7 days, 2nd week. Gross: $6,700. (Average, $8,000)
"Adventures of Sherlock Holmes" (20th-Fox)
"Stop, Look and Love" (20th-Fox)
FULTON—(1,700) (25c-40c) 7 days. Gross: $3,000. (Average, $5,000)
"Babes in Arms" (M-G-M)
LOEW'S PENN—(3,600) (25c-35c-50c) 7 days. Gross: $21,000. (Average, $13,000)
"U-Boat 29" (Col.)
SENATOR—(2,000) (25c-40c) 7 days, 2nd week. Gross: $2,900. (Average, $3,800)
"Dancing Co-ed" (M-G-M)
STANLEY—(3,600) (25c-40c-60c) 7 days. On stage, Ted Weems' orchestra. Gross: $20,000. (Average, $17,000)
"Fast and Furious" (M-G-M)
"Blue Grass" (W. B.)
WARNER—(2,000) (25c-40c) 7 days. Gross: $3,800. (Average, $5,000)

'Women' Montreal Best with $10,800

MONTREAL, Nov. 2.—"The Women" came through with $10,800 at Loew's. "Nurse Edith Cavell" grossed $6,900 at the Palace.

Estimated takings for the week ending Oct. 27:

"Thunder Afloat" (M-G-M)
"Hawaiian Nights" (Univ.)
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days, 2nd week. Gross: $4,500. (Average, $8,000)
"The Women" (M-G-M)
LOEW'S—(2,800) (30c-40c-60c) 7 days. Gross: $10,800. (Average, $8,000)
"The Man in the Iron Mask" (U. A.)
ORPHEUM—(919) (25c-35c-50c) 7 days, 4th week. Gross: $1,800. (Average, $5,000)
"Nurse Edith Cavell" (RKO)
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $6,900. (Average, $10,000)
"Espionage Agent" (W. B.)
"No Place to Go" (W. B.)
PRINCESS—(2,272) (25c-35c-50c-65c) 7 days. Gross: $5,300. (Average, $6,500)

Indianapolis Gives 'Babes' Big $12,800

INDIANAPOLIS, Nov. 2.—"Babes in Arms" and "Scandal Sheet" drew a fine $12,800 at Loew's.

Estimated takings for the week ending Oct. 26-27:

"Hollywood Cavalcade" (20th-Fox)
"The Escape" (20th-Fox)
APOLLO—(1,100) (25c-40c) 7 days, 2nd week. Gross: $2,600. (Average, $2,500)
"On Your Toes" (W. B.)
"Espionage Agent" (W. B.)
CIRCLE—(2,800) (25c-40c) 7 days. Gross: $4,800. (Average, $6,000)
"Disputed Passage" (Para.)
"Television Spy" (Para.)
INDIANA—(3,200) (25c-40c) 7 days. Gross: $6,000. (Average, $5,000)
"Babes in Arms" (M-G-M)
"Scandal Sheet" (Col.)
LOWE'S—(2,800) (25c-40c) 7 days. Gross: $12,800. (Average, $7,000)
"The Angels Wash Their Faces" (W. B.)
LYRIC—(2,000) (25c-40c) 7 days. Stage: Vaudeville. Gross: $10,000. (Average, $8,000)

'Marseillaise' at Cameo

American premiere of "Marseillaise," French film handled by World Pictures, will be held Saturday at the Cameo. Jean Renoir directed the film with Pierre Renoir, Louis Jouvet and Lise Delamare starred.

Canada Film Board Advisers Appointed

MONTREAL, Nov. 2.—Appointment of seven members of an interdepartmental committee to aid the National Film Board has been disclosed in Ottawa by Trade Minister Euler.

Representative of all Government departments engaged in film work, the new committee will advise the Film Board in the development of a central Government distribution service and public information service relative to film distribution.

The committee which will assist John Grierson, newly appointed Government Film Commissioner, and Capt. Frank C. Badgley, director of the Canadian Government Motion Picture Bureau, includes:

F. C. Nunnick, publicity director of the Department of Agriculture; R. J. C. Stead, superintendent of publicity, Mines and Resources Department; Ray A. Brown, public relations representative of the Labor Department; Badden F. Farrell, Post Office Department; H. F. S. Paisley, Fisheries Department; Major R. J. Whitelaw, National Defense Department, and D. Leo Dolon, head of the Canadian Travel Bureau Transport Department.

Embassy Observes Tenth Anniversary

A plaque commemorating the 10th anniversary of the founding of the first newsreel house, the Embassy, in Times Square, was unveiled at the Embassy yesterday with appropriate ceremonies.

A large gathering heard W. French Githens, president of Newsreel Theatres, Inc., describe the growth of the idea from one house on Nov. 2, 1929, to three in New York City and a fourth in Newark. Githens recently opened the Telenews in San Francisco, and expects to open the Telenews, Chicago, about Dec. 1.

Courtlandt Smith who, as head of Fox Movietone News, conceived the idea, also spoke. Mrs. Josephine Graff, a patron who never missed an Embassy show in the 10-year period, received a lifetime pass. Harry Von Zell, radio comedian and newsreel commentator, was master of ceremonies.

Pittsburgh Opens 'Uprising' Today

PITTSBURGH, Nov. 2.—A mile-long parade led by Claire Trevor will precede the premiere tomorrow of RKO's "Allegheny Uprising." The film opens at Loew's Penn as part of a celebration marking the 100th anniversary of Allegheny's incorporation. P. J. Wolfson, producer, and Neil Swanson, author of the novel, on which the film is based, are here for the festivities.

Bassin in Own Business

BOSTON, Nov. 2.—Charles Stuart Bassin, for 13 years with M. & P. Theatres here, and later with 16 mm. Sound Films, has gone into business for himself, the firm being known as United Photo Products Co., Inc.

Form Broadcast Firm

DOVER, Del., Nov. 2.—Transcontinental Broadcasting System, Inc., has been incorporated here with capital of 20,000 shares of no par value.

Radio Personals

Edward Arnold, screen star, has replaced Walter Huston as emcee on the "Good News" program, heard Thursdays at 9 P. M. over NBC-Red. Barry Wood makes his debut on "Your Hit Parade" tomorrow at 9 P. M. over CBS. . . . Orson Welles' contract for "Campbell Playhouse," heard over CBS Sundays at 8 P. M., has been renewed effective Dec. 10. . . .

The Lanny Ross program heard over CBS Monday, Wednesday and Friday at 11 A. M. increases to 15 minutes Monday. . . . Nola Luxford, NBC commentator, has been named to the Overseas Press Club. . . . Bud Sherman, WBAP, Fort Worth, sportcaster, is recuperating from an appendectomy. David Byrn, Jr., and Nelson Olmstead are substituting. . . .

Theda Bara, screen star of yesteryear, will guest on the "Texaco Star Theatre" Wednesday at 9 P. M. over CBS. . . . Richard Rider has joined the staff of "The Shadow" heard over Mutual Sundays at 5:30 P. M. . . . Bob Benchley has two guest spots this month—on "Pursuit of Happiness' over CBS Sunday, and "Information, Please" Tuesday, Nov. 21, on NBC-Blue.

More Giveaways Used by Networks

Giveaways, consisting of cash prizes, merchandise and free trips, have increased considerably over the principal networks, NBC, CBS and Mutual. Some prizes reach $5,000 for the winner.

Current popularity of quiz programs has increased the number of free offers, with prizes for both those submitting the questions and those answering them.

Slogan contests, with box tops or labels required, are frequently backed by advertising campaigns in magazines, newspapers and trade publications. These offer the largest lump-sum payments to winners. Others are based purely on chance with a spinning wheel to determine the lucky person.

Additionally, the usual complement of sample offers are being made and these include a wide variety of products and related giveaways, such as recipe books, thermometers and the like. Lockets, toy guns and similar novelties are provided for the children.

11.8% Gain Recorded For NBC's Billings

Gross billings for NBC's two networks, the Red and Blue, for October rose 11.8 per cent over October, 1938, and 27.3 per cent over September. Total billings for October were $4,219,253, as compared with $3,773,964 for the same month last year and $3,315,307 for September.

Totals for the 10-month period were $36,729,622 as compared with $33,676,688 for the first 10 months in 1938, an increase of 9.1 per cent.

Vision Strong F.C.C. Boost To Television

WASHINGTON, Nov. 2.—Standardization of television receiving sets is seen in Washington as a possible subject of discussion by the television committee of the Federal Communications Commission in its report, due soon.

In that report, in which the industry hopes television will be given a badly needed "shot in the arm," the committee may discuss the desirability of standardization as giving confidence to the public which, on the whole, has been, at best, only moderately enthusiastic over radio pictures.

Standardization is viewed from two angles. Some of the larger interests are taking the attitude that it will encourage public acceptance of the new entertainment. Many of the smaller manufacturers, believing that television, like broadcasting, will reach its greatest period of development as an industry under the impetus of low-priced receivers, are fearful of anything which might "freeze" the situation.

Larger companies are represented as feeling that, with standardization, the public will be assured that television is on a firm foundation. The other view is that the restricted range of television transmitters, the lack of selection of programs and public demand, developed by motion pictures, for high-grade projection, are problems which must be solved before the industry can mature.

Transcontinental To Start January 1

CHICAGO, Nov. 2.—Transcontinental Broadcasting System, Inc., newly formed network, is expected to begin operations on Jan. 1. It will broadcast commercial and sustaining programs 16 hours each day.

Negotiations for the carrying of transcription serial programs by Transcontinental were conducted by Frank Hummert of Blackett-Sample-Hummert acting solely on behalf of specific sponsors who requested him to try to obtain the better time and rates offered by Transcontinental, agency sources indicated yesterday.

Reports that the new web had political implications were denied. It was pointed out that Bill Blackett's prominence in national Republican politics may have given rise to the reports.

F.C.C. Stands Pat on Allocation Plan

WASHINGTON, Nov. 2.—Refusing to depart from its allocation plan to permit the construction of a new broadcasting station at Brownwood, Texas, the Federal Communications Commission today laid down the rule that exceptions from that plan would be made only when necessary to provide primary service to communities lacking such service.

Agneta Handles Radio

Nicholas T. Agneta, associate in the Charles H. Allen Agency, has taken over the agency's radio department.

Alert, Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

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Guilds Reject Role in Wage Slash Dispute

Refuse to Be Embroiled In I.A.T.S.E. Battle

HOLLYWOOD, Nov. 5.—Screen actors, directors and writers Friday night rebuffed I.A.T.S.E. attempts to embroil them in a discussion of producers' attempts to cut salaries in Hollywood.

Directly and indirectly, the Screen Actors, Writers and Directors Guilds refused to meet with producer and Alliance representatives at a conference Saturday afternoon at which time studio executives and Alliance officers were to have discussed producers' plea that the 10 per cent wage increase recently granted I.A.T.S.E. crafts be rescinded.

The occasion for refusal was a telegram sent by Stephen B. Newman, International Alliance official, to Guilds, asking they send committees to the conference with producers Saturday afternoon. Directors of S.A.G., meeting in an emergency session Friday night, issued a blunt statement that they would not send a committee.

Screen Writers' Guild directors sent this wire:

"In reply to your telegram of Nov.

(*Continued on page 12*)

3 Unions to Settle Television Control

After considerable delay, committees from Actors Equity, Screen Actors Guild and American Federation of Radio Artists have arranged a meeting for this week to settle the question of television jurisdiction. No date has yet been set.

The delay has been occasioned by the failure of the A. F. R. A. board to name its committee, but this action has now been taken. Emily Holt, A. F. R. A. national executive secre-

(*Continued on page 2*)

Para. Officials Going To Phillips' Funeral

Funeral services for E. Paul Phillips, Paramount home office theatre executive, who was fatally injured in an automobile accident at Waseca, Minn., will be held at 2 P. M. today at Cooke's Funeral Home, Stapleton, S. I. Interment will be in Moravian Cemetery.

Masonic services were held at the funeral home yesterday.

Phillips is survived by his wife,

(*Continued on page 2*)

Code's Status Called Unchanged Despite Murphy's Comment

Attorney General Frank Murphy's statement of last week that his department cannot approve an industry trade practice code without a stipulation that it will not be used as a defense in any proceedings, does nothing to clarify the current status of the code or to enhance its chances of revival, in the opinion of home office distribution and legal officials.

While all home office executives who were queried on their reactions to the Attorney General's statement, declined to comment officially because, they pointed out, Murphy's views were not addressed either to them or to an authorized industry spokesman, they were not reluctant to give off-the-record expression to their private feelings.

The Attorney General's statement was made in response to representations made to him on behalf of the code by Harry Brandt, New York I. T. O. A. president, in Washington last Thursday.

Both distributors and attorneys as-

(*Continued on page 2*)

British Houses Win 11 P.M. Closing Hour

LONDON, Nov. 5.—All theatres in Great Britain are included in a new governmental order permitting them to remain open until 11 o'clock each night.

The stagger system of openings remains in London's West End, otherwise the closing hours are uniform.

The new order is expected to stimulate film business immensely because

(*Continued on page 2*)

Receiver Appointed For Baird Television

London, Nov. 5.—A receiver was appointed on Friday for Baird Television, Ltd., on the petition of two debenture holders.

Set Grand National Creditors' Meeting

Referee Peter B. Olney, Jr., designated on Friday by Federal Judge Mandelbaum to sit as Special Master in reorganization proceedings of Grand National Pictures, Inc., ordered a first meeting of creditors of the company for Nov. 17.

At the same time Referee Olney authorized Grand National to operate its business and manage its property for a period of 30 days subject to his control.

Creditors of the company on Nov. 17 will receive formal proposal of the plan for payment to them on installments over an 18-months' period, it was learned Friday. Referee Olney's order directed Grand National officers to file monthly reports of the company business, and barred the payment of salary to employees not at present on the payroll.

Guild Votes Today On Pact Changes

A vote on proposed modifications of the basic agreement which will permit film companies that back legitimate stage productions to purchase screen rights to the plays before production, will feature the annual meeting of the Dramatists Guild today. Officers will be elected.

Foreign Business to Enjoy Neutrality Bill's Protection

WASHINGTON, Nov. 5.—Every world market in which the industry has been doing business will remain open to American motion pictures under the neutrality legislation finally approved by Congress as it adjourned the special session Friday.

With the Johnson amendment, exempting pictures from the cash-and-carry provision, untouched, the legislation carries no restrictions on films, which will be affected only to the extent that American vessels are to be prohibited from carrying passengers or merchandise to certain countries.

As a result of the Senate's action in adopting the amendment offered by Senator Hiram Johnson of California, to which the House later offered no objection, American film distributors can continue to transact foreign business in their accustomed manner and not fear heavy war restrictions.

The measure, however, does carry a provision that any losses incurred by the distributors in connection with their business in belligerent countries shall not be made the basis of any claim by the United States government, which means merely that the film companies will have to do business in those countries at their own risk and the government will not act as a collection agency.

Fifth Arbiter Picked in 306, Circuits Fight

Prof. Handler Will Assist In Wage Negotiations

After more than a month of discussions, during which negotiations were broken off on one or two occasions, the major circuits and Operators' Union, Local 306, have finally set up an arbitration board to settle wages and hours for the next two years.

Attorneys for both groups decided Friday to name Milton J. Handler, associate professor of law at Columbia University, as the fifth arbitrator. The agreement was reached at a conference with Chief Judge Frederick Crane of the N. Y. Court of Appeals.

As soon as Judge Crane signs a formal order appointing Prof. Handler, the arbitration board will be ready to determine the fairness of the union's demand for a 25 per cent wage increase for projectionists in this area.

Other members of the board are Charles C. Moskowitz, executive operator of Loew's Theatres; Major L. E. Thompson, of RKO; Joseph D. Basson, president of 306, and Bert Popkin, former business agent for 306.

Such arbitration is required under the terms of the basic agreement between the parties. They provide that the question of wages and hours must be settled in this manner if the parties are unable to agree among themselves. At a conference held with Judge Crane on Oct. 13, Local 306 told the court that the four arbitrators had been unable to designate a neutral fifth man.

'Uprising' Gets Gala Pittsburgh Opening

PITTSBURGH, Nov. 5.—Mayors of 31 cities, seven broadcasts on four different stations, a rifle shooting contest between Claire Trevor and a policeman, a conestoga wagon parade, and the sidewalk spotlights of a Hollywood opening, highlighted the world premiere of "Allegheny Uprising" Friday night at Loew's Penn.

Attended by Miss Trevor, managing editor of the Baltimore "Sun," Neil Swanson, author of "The Bright Rebel" sourcebook, producer P. J. Wolfson, and political dignitaries of western Pennsylvania, the RKO picture inaugurated the celebration for the Old Allegheny Centennial committee, that sponsored the event.

A dinner dance for seven hundred of Pittsburgh's prominent citizens was held in the Hotel William Penn in

(*Continued on page 12*)

Ticket Code's Renewal Due Before Nov. 15

Renewal of the ticket code appeared fairly certain over the weekend after a conference between the League of New York Theatres and Actors Equity. It was described as "satisfactory" by John F. Reilly, League executive secretary. The Equity group presented a number of counter proposals, but it is not believed that they will block an ultimate agreement.

The code has been extended twice and is due to expire Nov. 15. Equity officials declared after the meeting that a definite agreement would have to be reached before that date. If an agreement for extension of the code is reached, it will be "drastically and rigidly enforced," Reilly said.

A further meeting will be held at 11:30 A. M., Thursday, and the Equity council will make its decision on Nov. 14. A membership meeting of the League is scheduled Wednesday, at which time the question of alleged violations of the code by two theatre owners and 15 ticket brokers will be probably settled.

Metro Announces Personnel Moves

Irving Helfont, manager of the M-G-M contract department, has been transferred to the division of Edward Saunders, Western division head, where he will assist Joel Bezahler, assistant to Saunders.

William Levine, who has been assistant to Helfont, is now in charge of the contract department.

William Potts, formerly a checking supervisor for M-G-M in Detroit, has succeeded to the position of checking supervisor in Chicago, left vacant by the resignation of David Moskowitz, who is entering the television field. Ambrose W. Fitzgerald remains at Detroit as supervisor.

Roosevelt Speaks At Chicago Nov. 13

CHICAGO, Nov. 5.—Contrary to published reports, James Roosevelt, vice-president of Samuel Goldwyn, Inc., will address a Jewish relief drive meeting at the Sinai Temple here on Nov. 13. His subject will be "Motion Pictures—Propaganda or Entertainment."

Sunday Movie Votes Due in Pennsylvania

PITTSBURGH, Nov. 5.—Eighteen boroughs and townships in western and central Pennsylvania will vote Tuesday on a referendum for Sunday movies. Most of the communities are in rural areas.

Roxy Quarterly Dividend

The board of directors of Roxy Theatre, Inc., at its meeting Friday declared a quarterly dividend of 37½c per share on the outstanding preferred stock of the corporation, payable Dec. 1, 1939, to stockholders of record at the close of business on Nov. 17, 1939.

Purely Personal

W. A. SCULLY, Universal vice-president and general sales manager, will leave New York today on a week's trip to Chicago, Milwaukee and Minneapolis.

•

NORMA SHEARER, LOU HOLTZ, CONRAD NAGEL and JOHN MCLAIN arrived Saturday morning on the American Airliner *Mercury*.

•

SIG SCHLAGER, president, and GEORGE GREEN, executive vice-president of Producers Corp. of America, arrived from the Coast yesterday.

•

LOUIS PHILLIPS, Paramount home office attorney, will leave for the Coast within the next few days.

•

LOUIS D. FROHLICH of Schwartz & Frohlich, Columbia counsel, will leave for Nashville today or tomorrow.

•

AL MARGOLIES, United Artists publicity manager, will leave for the Coast within the next few days.

•

KATHLEEN LOCKHART left for the Coast over the weekend after a two week's visit in New York.

•

F. T. MURRAY, manager of branch operations for Universal, is back after a five weeks' tour of exchanges.

•

FRED STORM, Goldwyn's publicity director, left the Coast by train Friday night for New York.

•

PEARL HONIG has been appointed editor of Modern Screen, succeeding REGINA CANNON.

•

EZRA STONE, stage and radio actor, leaves this week for the Paramount studio.

•

GEORGE W. WEEKS, Monogram general sales manager, is ill with a severe cold.

•

HARRY BRANDT spent the weekend in Atlantic City.

•

WILLIAM DORFMAN left for the Coast Saturday.

•

ANN RUTHERFORD leaves today for the Coast.

•

JOHNNY WEISMULLER heads for the M-G-M studio soon.

Republic Meeting Billed at Chicago

Republic franchise holders in the Midwest area will meet in Chicago tomorrow, and meetings are scheduled this week in three other centers, continuing the divisional sessions started here late last week with a meeting of the Eastern division.

James R. Grainger, Republic president, will preside at all sessions. Chief topic is a new plan under which revenue goals are being set on a quarterly basis, with branches expected to meet the quotas to balance the increased production budget.

Also being discussed is the 14-week playdate drive which ends late in January and sales emphasis to be placed on "Dark Command," set for release early next year.

Farley's Reputation As Guesser at Stake

Postmaster General Farley's reputation as the nation's greatest guesser which he achieved in the 1936 election, will be at stake when he joins the experts on "Information, Please" for their first anniversary broadcast, Tuesday, Nov. 14, at 8:30 P. M. over NBC-Blue. Suggested question: "Who will be the Democratic presidential nominee in 1940?"

3 Unions to Settle Television Control

(*Continued from page* 1)

tary, and George Heller, executive secretary of the New York chapter, will head the A. F. R. A. committee. Florence Marston, S. A. G. Eastern representative, will lead the S. A. G. delegation while John Lorenz is chairman of the Equity group.

Alfred Harding, Equity spokesman, explained that there was no significance in the failure of Equity to name Paul Dullzell, executive secretary, to the Equity group.

As an officer of Associated Actors and Artistes of America, the parent body, Dullzell would have the right to sit in on the meetings, Harding said. Mrs. Holt, Mrs. Marston and Dullzell have had several informal discussions but no definite plan has been formulated yet.

Para. Officials Going To Phillips' Funeral

(*Continued from page* 1)

Mrs. Elizabeth M. Phillips; a daughter, Barbara; his parents, Dr. and Mrs. Eldon Phillips; a brother, Henry Phillips of Cape Girardeau, Mo., and three sisters, Pearl Phillips of Cape Girardeau, Mrs. C. M. Harvey of El Paso and Mrs. J. W. Sobel of Wauwatosa, Wis.

A large delegation of Paramount officials and employes will attend the services today. Among them will be Barney Balaban, Stanton Griffis, Austin Keough, J. J. Unger, Louis Phillips, Paul Raibourn, Fred Mohrhardt, Charles Reagan, Mr. and Mrs. Leon Netter, Mr. and Mrs. M. A. Gowthorpe, Leonard Goldenson, Neil Agnew, Arthur Israel, George Weltner, Oscar Morgan, Robert Weitman, Harry Kalcheim, Evelyn O'Connell, Agnes Mengel, Lillian Links, Yetta Berkowitz, Edith Schaffer, Lillian Miller and Charles Bruder.

Also, James Polk, Ben Goodman, Knox Haddow, Fred Le Roy, E. H. Ericsson, W. H. Lawrence, T. C. Schreiner, Richard Engel, Clark Brown, Harry Wright, Max Schosberg, Benjamin Fink, J. A. Phillipson, C. L. Oswald, J. McDermott, Henry Anderson, Roger Clement, Walter Gross, E. A. Brown, J. L. Bronson and others associated with him in the company.

Levy Leaves Clinic

CHICAGO, Nov. 5.—Jules Levy has left the Mayo clinic where he underwent an operation. He departed for Hollywood from Chicago Friday.

Zorina Goes to Coast

Vera Zorina has dropped her Broadway plans. She answered a hurried call Saturday from the 20th-Fox studio to start work on a picture.

Code's Status Called Unchanged Despite Murphy's Comment

(*Continued from page* 1)

serted that they could not interpret Murphy's meaning with any certainty of accuracy, but felt that his implication was only that distributors could go ahead with a code and risk being sued for doing so, a Government policy which blocked the adoption of the code in the first place.

"The Government contends that most of the trade practices which the industry believes to be essential, are illegal," one official stated. "What would be the purpose, then, of abandoning these practices if we are to be prosecuted in any event for once having employed them?" he asked.

Several ranking industry attorneys were of the opinion that the Murphy statement is "meaningless" as it stands, but if amplified, and put in official form, it might hold significance for the code and the entire industry.

British Houses Win 11 P.M. Closing Hour

(*Continued from page* 1)

many workers were prevented by the early closing hours from attending the theatres.

The later closing hour will have a tremendous influence in bolstering the public's morale during the present time war tension, officials said.

Although the trade already is back to approximately 80 per cent of its normal strength, the new closing hour will mean a minimum of 50,000 pounds a week increase in revenue for the theatres.

N. J. Allied Meeting

A discussion of product will feature an all-day meeting of New Jersey Allied Thursday at the Ritz restaurant, Passaic. New York exchange managers and New Jersey salesmen have been invited to a beefsteak dinner.

Marquee Cleaned

Cleaning of the marquee at the Music Hall was completed over the weekend. Work will start today on the vertical sign. Cleaning of the marquee required three weeks. Seven men are employed and an expenditure of $3,000 is involved.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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TOPNOTCHKA!



GRETA GARBO in "NINOTCHKA" (Don't Pronounce It—SEE IT!) with Melvyn Douglas • Ina Claire • An Ernst Lubitsch Production • Screen Play by Charles Brackett, Billy Wilder and Walter Reisch Based on the Original Story by Melchoir Lengyel Directed by Ernst Lubitsch

RADIO CITY MUSIC HALL GETS THE LUBITSCH TOUCH!

The suspense is terrific!

The eyes of the nation are on New York!

GARBO'S "NINOTCHKA" goes into the Music Hall immediately after the current attraction! Scarcely a man, woman or child in all America who hasn't read in newspapers or magazines or heard over the air about M-G-M's delicious comedy. Keep building up the enthusiasm for your play-date. Tell them that "NINOTCHKA" has now been selected by the world's largest theatre for the World Premiere. It's smart to whet their appetite when you have such an eagerly awaited entertainment! Never has there been such a build-up for any picture!

Keep Them Hotchka for "Ninotchka!"

Jenkins Set To Produce Mexico Films

By JAMES LOCKHART

MEXICO CITY, Nov. 5.—Picture production is to be undertaken by William Oscar Jenkins, wealthy American who in 1937, in collaboration with seasoned Mexican exhibitors, started construction of a circuit of eight theatres in the provinces. Jenkins has made an agreement with Gabriel Alarcon, noted producer, to organize a producing company which is expected to get into action early in December.

Preparations for establishing picture studios in Monterrey, industrial center near the eastern Texas border, are being made by Elizondo, Zarate & Salinas, producers and exhibitors of that city. Site for the studios is being selected. Work on them is to start late this month.

Congress is viewing favorably a measure demanding that all film houses to be erected here will be at a reasonable distance from each other and other places of paid public amusement. Joaquin Fagoaga, local independent exhibitor, sponsored the measure. He told Congress than the proximity of theatres and other amusement places makes competition so keen that it works a hardship upon the little fellows.

It is expected that this bill will be enacted as part of the Federal law which forbids monopolies. Fagoaga asserted that the big houses close to small theatres constitute a monopoly of business. But he leaves the extent of reasonable distance between entertainment spots to Congress.

Selected swing is the best pill for the Government's radio plugs for the national census, now in progress, the press and publicity department has decided. Picked modern popular music, mostly discs, help to put over talks about the census in broadcasts from the department's stations.

Greater and more equitable control of radio is intended in a new law the Mexican Government is drafting. Consultations regarding the law are being taken with station operators here and in other large Mexican cities.

Villa Cuauhtemoc, a town near Tampico, has the distinction of possessing more radio receivers than any other Mexican community of its size. This town has 10,046 inhabitants who are housed in but 412 dwellings and although most of the people sleep on the floor the community boasts 363 radio sets.

Seek Bromfield Aid In Ohio Censor Plea

HOLLYWOOD, Nov. 5.—Twentieth Century-Fox has enlisted the aid of Louis Bromfield in an effort to have the Ohio State Censor Board reinstate cuts made in the picturization of Bromfield's novel, "The Rains Came." Bromfield is a property owner in Ohio.

London Review

"Come on George"

(A.T.P.-A.B.F.D.)

LONDON, Oct. 23 (*By Mail*).—Producers of George Formby films so far have concentrated on exploiting exclusively his English market, and this latest A.T.P. film, putting the Lancashire comedian against a racing stable and race course background, does little to alter that purpose. Indeed, while the certainty that it will register with the wide Formby following remains, there have been more hilarious efforts than this one.

Formby's role this time is that of an ice cream vendor who turns jockey, and who has to look after a horse so ferocious he is called "Maneater." Most of the comedy, of course, hinges around the spectacle of the goofy Lancashire lad getting his own way with the ferocious equine.

Ultimately Formby discovers his predicament, is treated by a psychoanalyst and given new courage, battles with some crooks, loses his courage with a crack on the head and finally wins the race and the girl.

Comedy passages are filmed with competence and staged and photographed with skill. The film is a little slow in getting into its comedy stride, is sometimes funnier than others and has nobody outstanding in it other than Formby himself.

Running time, 88 minutes. "G."* AUBREY FLANAGAN

**"G" denotes general classification.*

Holland Trade Improves After Early War Setback

By PHILIP DE SCHAAP

AMSTERDAM, Oct. 20 (*By Mail*).—After the first difficult weeks of special measures by the Dutch Government, unfavorable reactions on the part of the Dutch public and uncertainty regarding shipments of films to this country, a general improvement of the situation is seen among exhibitors and independent distributors, in particular.

The loss from the decline of regular theatre patronage has been offset largely by soldiers in search of entertainment. They are admitted at a 50 per cent reduction in admission. Small town theatres where military garrisons are located, are profiting especially. Likewise, now that the general public has become accustomed to the war situation, its appetite for entertainment is sharper than ordinarily.

There is little difficulty in shipments from Paris to Holland, with Dutch distributors sending agents, or themselves going to the French capital to obtain product suitable for the Dutch market.

Charles Boyer, Jean Gabin and other important French players are apparently completing their pictures in French studios. Shipments from London are more difficult, but are being received regularly. There is no immediate prospect of a product shortage here. Dutch editions of American newsreels, which before the war were prepared for this market in Paris, now are translated and processed in Dutch laboratories.

War shots at first were eliminated from the reels here, but now, with small danger of influencing public opinion, war material is permitted. The Dutch Motion Picture Federation is cooperating in an effort to insure newsreel neutrality.

American films which currently are doing excellent business, include "Bachelor Mother," "The Mikado" and "Union Pacific." "It's in the Air," English film starring George Formby, also is particularly popular.

Pictures Preferred By French Soldiers

Films lead in entertainment for the soldiers back of the Maginot Line, says a dispatch from Paris to *The New York Times*.

Experiments have shown that, next to films in popularity, are cards, while games like dominoes are third. Newspapers are of no interest except when they are fresh or give news of the home town. Few men read books.

Officers report that films are best also for the mental and moral distraction of the soldiers. Portable projection equipment is used.

'Bookies' and Raye $17,500, Cincinnati

CINCINNATI, Nov. 5.—"Mr. Smith Goes to Washington" took a big $8,200 in its second week at the RKO Capitol, while Martha Raye and acts helped "The Day the Bookies Wept" to a smash $17,500 at the RKO Shubert.

Estimated takings for the week ending Oct. 31-Nov. 4:

"The Real Glory" (U. A.)
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $11,250. (Average, $12,000)
"Marx Bros. at the Circus" (M-G-M)
RKO PALACE—(2,700) (35c-42c) 7 days. Gross: $9,000. (Average, $10,000)
"The Day the Bookies Wept" (RKO)
RKO SHUBERT—(2,150) (40c-60c) 7 days. Stage: Martha Raye. Gross: $17,500. (Average, $10,000)
"Mr. Smith Goes to Washington" (Col.)
RKO CAPITOL—(2,150) (35c-42c) 7 days, 2nd week. Gross: $8,200. (Average, $6,500)
"Babes in Arms" (M-G-M)
RKO LYRIC—(1,400) (25c-40c) 7 days, 3rd week. Gross: $4,100. (Average, $5,000)
"Torpedoed" (Film Alliance)
RKO FAMILY—(1,000) (15c-25c) 7 days. Gross: $2,500. (Average, $2,450)
"What a Life" (Para.)
KEITH'S—(1,500) (30c-40c) 7 days. Gross: $4,100. (Average, $6,000)

Denver Gives Good $8,300 To 'Passage'

DENVER, Nov. 5.—"Disputed Passage" was a strong leader here with $8,300 at the Denham. "The Roaring Twenties" was good for $10,000 at the Denver.

Estimated takings for the week ending Nov. 1:

"The Real Glory" (U. A.)
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $3,500. (Average, $3,500)
"The Under-Pup" (Univ.)
"Mutiny on the Blackhawk" (Univ.)
BROADWAY—(1,040) (25c-35c-40c) 7 days, 2nd week. Gross: $2,000. (Average, $2,500)
"Disputed Passage" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days. Gross: $8,300. (Average, $6,500)
"The Roaring Twenties" (W. B.)
DENVER—(2,525) (25c-35c-40c) 7 days. Gross: $10,000. (Average, $9,000)
"Babes in Arms" (M-G-M)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. 2nd week. Gross: $8,500. (Average, $9,000)
"All Quiet on the Western Front" (Univ.)
"Nancy Drew and the Hidden Staircase" (W. B.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,500. (Average, $3,500)
"Hollywood Cavalcade" (20th-Fox)
"Hidden Power" (Col.)
RIALTO—(878) (25c-40c) 7 days. "Cavalcade" 3rd week. Gross: $2,300. (Average, $1,750)

'Babes' at $9,000 Leads Milwaukee

MILWAUKEE, Nov. 5.—"Babes in Arms" and "Here I Am a Stranger" grossed $9,000 at Fox's Wisconsin. "A Woman Is the Judge" and a stage show consisting of Marie Wilson, Roscoe Ates and Art Jarrett at the Riverside, drew $10,000.

Estimated takings for the week ending Nov. 1-2:

"The Roaring Twenties" (W. B.)
"No Place to Go" (W. B.)
WARNER—(2,400) (25c-35c-50c) 7 days. Gross: $4,800. (Average, $4,500)
"At the Circus" (M-G-M)
"Fast and Furious" (M-G-M)
PALACE—(2,400) (25c-35c-50c) 7 days. Gross: $4,300. (Average, $4,000)
"A Woman Is the Judge" (Col.)
RIVERSIDE—(2,700) (25c-30c-35c) 7 days. Stage: Marie Wilson, Roscoe Ates and Art Jarrett. Gross: $10,000. (Average, $6,500)
"The Real Glory" (U. A.)
"Hollywood Cavalcade" (20th-Fox)
STRAND—(1,400) (25c-35c-50c) 7 days. Gross: $1,500. (Average, $1,500)
"Babes in Arms" (M-G-M)
"Here I Am a Stranger" (20th-Fox)
WISCONSIN—(3,200) (25c-35c-50c) 7 days. Gross: $9,000. (Average, $5,500)

Police Stage Drive On Milwaukee Bingo

MILWAUKEE, Nov. 5.—Following a decision by Circuit Judge Charles L. Aarons holding Bingo to be gambling, police continued their drive against the games here with a request for warrants for three sponsors of the game at the Eagles Club and the Futuristic Ballroom.

District Attorney Herbert J. Steffes was told by police that sponsors at the two places had been notified to stop the games and that Bingo games at other public halls had been stopped on such warnings.

Bring Lunch to Hall

Seventy pupils of the Immaculate Conception School in Brooklyn were among the first in line Friday morning to see "Mr. Smith Goes to Washington" at the Radio City Music Hall. They brought their lunches.

Theatre, Personnel Notes

Interstate Transfers Men

SAN ANTONIA, Nov. 5.—Personnel changes by Interstate Circuit here include: William F. O'Donnell, city manager, shifted to Dallas, replacing Raymond Willie, division manager, who is now handling all important cities as aid to R. J. O'Donnell, vice-president and general manager Edward E. Collins, manager of the Majestic, replaces William O'Donnell; John T. Floore, manager of the Texas, to the Majestic; Henry Bergman, manager of the Broadway, to the Texas; Maurice Gleaves, Uptown manager, to the Broadway; Lyn Krueger, manager of the Harlandale, to the Uptown; Lee Roy Handley, assistant manager of the Majestic, to the Harlandale as manager.

Build Forest Hills House

New 600-seat theatre to be named the Trylon is being constructed in Forest Hills, L. I., by the B. K. & R. Holding Corp. Sam Strousberg is president of the company and Sam Baker, secretary. Operation of the house will be supervised by the Interboro Circuit.

Reopen Navarre Shortly

The Navarre, Brooklyn, will reopen soon as the Fair.

Plan Ellenville Theatre

Edward L. Sholenson and Morris Popkin have filed plans for the construction of an 800-seat theatre in Ellenville, N. Y.

Congress in Bronx Reopens

Congress, 554 Southern Blvd., Bronx, has reopened under a new name, the Ace. The President Theatre in that borough has closed.

Warners Shift Mintz

SHEBOYGAN, Wis., Nov. 5.—Harry Mintz, formerly manager of a Warner house in Hammond, Ind., has been named manager of the circuit's Sheboygan here, succeeding Fred Reeths, Jr., resigned.

Gets Rights to Horror Film

DALLAS, Nov. 5.—Sacks Amusement Enterprises obtained the rights to "Return of the Frog," European horror film, for distribution in eleven southern states.

Remodeled, Gets New Name

FORDYCE, Ark., Nov. 5.—The remodeled, redecorated Amuse-U theatre has reopened under the name of the Dallas, it was announced by K. Lee Williams, president of K. Lee Williams Theatres, Inc., of Oklahoma City. Gerry Doig has been placed in charge of the Dallas and A. E. Crowder, Jr., formerly assistant manager of the old Amuse-U, has been retained in the same post.

Plan Amarillo Playhouse

AMARILLO, Texas, Nov. 5.—Incorporators, A. H. Truitt, Lucille Truitt, and R. R. Swindell, obtained a charter, capitalized at $3,500, and called North Amarillo Amusement Co., to operate a playhouse and opera.

Hollywood Review

"First Love"

(Universal)

HOLLYWOOD, Nov. 5.—Early in this pleasantly informal fiction a dialogue reference is made to the unlikelihood of fairy tales coming true in this century, whereupon two such standard ones as "The Ugly Duckling" and "Cinderella" proceed to happen, quite literally and luxuriously, with Deanna Durbin on the receiving end as a mildly determined Pollyanna. These are materials lesser men than Henry Koster and Joseph Pasternak could flounder in, but they make of them here a steadily amusing, always fresh and consistently stimulating evening's entertainment.

To achieve this they employ large helpings of excellent humor, technical artifices such as talking mirrors and disappearing images, plus a seasoned supporting cast. The result is a picture of distinction suitable for any type of audience at any time or place.

Helen Parrish is a standout in the cast, playing a malicious cousin of the star, and Leatrice Joy launches a new screen career triumphantly as a ritzy aunt. Eugene Pallette enjoys a grumpy millionaire assignment and June Story, Kathleen Howard, Frank Jenks, Jack Mulhall, Thurston Hall and Lucille Ward add importantly to the realistic effect of a purposefully unrealistic story realistically told. Robert Stack and Lewis Howard are new young actors who handle other principal roles like veterans.

Bruce Manning and Lionel Houser wrote the screenplay, unique in many respects and successful in all, and art director Jack Otterson set a new high for even his long and notable course with settings such as are seldom seen and never excelled. Miss Durbin sings four numbers, nicely varied as to type and cleverly integrated with story incident, each receiving hearty applause from the preview audience.

Running time, 84 minutes. "G."* ROSCOE WILLIAMS

**"G" denotes general classification.*

$1,600,000,000 Year Cost of Recreation

WASHINGTON, Nov. 5.—The American public spends something over $1,600,000,000 a year on recreation, it was disclosed by the National Resources Planning Board in a report on consumer expenditures for 1935-'36.

The proportion of the total expenditure devoted to films and theatres is not known.

The percentage of income so spent, it was found, ranges from 1.9 for families with incomes of less than $900 a year to 3.1 for incomes of $3,000 to $5,000 and then tapers off to 2.2 for incomes of $20,000 and over. Expressed in percentage of expenditures, however, it ranges from 1.3 for incomes under $500 to 6.2 incomes of $20,000 or over.

The one-third of the nation which has an income under $780 per year spends an average of $9 for recreation; the middle third, with incomes from $780 to $1,450, spends $28, and the upper third, with incomes in excess of $1,450, spends anywhere from $49 to $781 and averages $89, it was reported.

Artie Shaw Suit

Artie Shaw, orchestra leader, was ordered to appear for examination before trial and to produce his books and records on Nov. 9 by N. Y. Supreme Court Justice Koch in the suit for $30,000 brought against him by Eli E. Oberstein, who claims 10 per cent commissions for publicity work from May, 1937, to December, 1938.

'First Love' Into Rivoli

"First Love," Universal's new Deanna Durbin starring vehicle, will open at the Rivoli on Wednesday for a continuing run.

Electricity at Last; Town Gets Theatre

Denver, Nov. 5.—Mora, N. M., lacking a theatre due to the town's failure to have electricity, will get one soon. It will be opened by N. Cornett. The town, which has a population of 1,500, is now being supplied with electricity.

Form Film Council For British Troops

LONDON, Nov. 5.—The Army Films Council, charged with supplying screen entertainment for British troops at home and overseas, was formally organized Friday at a joint meeting of the Cinematograph Exhibitors Association and the Kinematograph Renters Society (distributors).

The session was presided over by Sir Adrian Baillie, representing the British War Office. The council will act in collaboration with the Government-sponsored Association of Film Entertainment. Baillie will serve as chairman of the council, with the distributors holding a majority of one in the membership.

The purpose is to straighten out a confused and overlapping situation.

Seeks U. S. Films

Armando Mirando, president of Borinquen Film Co. of Puerto Rico, independent distributor, is negotiating here for product. The company handles French and South American films, but will add American pictures. Miranda is personal attorney for Ramos Cobian, head of United Theatres circuit, in Puerto Rico.

Short Subject Reviews

"All American Blondes"

(Columbia)

Andy Clyde affords a measure of amusement in this comedy, in which he coaches a girls' basketball team. Under threats of gamblers that he make sure the game is lost, he suffers alternately pangs of fear and elation as the game progresses. The comedy might have been improved had the producers used real feminine basketball teams, of which there are many. Running time, 17 mins.

"Mountain Ears"

(Columbia)

A color cartoon, this satirizes the film commentator recounting an incident in the hillbilly country, with a hillbilly youngster playing hijinks with the assembled mountaineers. A few clever technical touches in cartoon work serve to increase the entertainment value of the subject. Running time, 8 mins.

'Smithsonian Institution'

(Columbia)

Herein is made an attempt to picture the work and scope of the famed Smithsonian Institution in Washington. It is a big subject, of innumerable ramifications, yet in the small available space, an idea of the activity of the institution is admirably indicated. It is a subject which should be found of general interest. Running time, 11 mins.

"Screen Snapshots, No. 2"

(Columbia)

More interesting than the usual run of subjects in this series, this pictures the training of animals for film work. Curley Twiford handles wild birds, Rennie Renfro dogs and Charles Gay puts lions through their paces. Running time, 10 mins.

"The Book of Books"

(Columbia)

Here is an interesting subject, combining reference to the scope and use of the Bible, with a pictorial study of the operations involved in the manufacture of books. From press to binding, it is an interesting process, especially such work as the gold-leafing of the edges of pages. Running time, 10 mins.

"Holland and the Zuyder Zee"

(De La Varre-Columbia)

A birdseye screen view of Holland, land of canals, dikes and quaintness, this subject is extremely well handled both photographically and in subject matter. The film pictures Amsterdam, Vollendam, Alkmaar, the cheese center, and Middleburg. Colorful native costumes add to the subject. Running time, 10 mins.

RKO Borrows Milland

HOLLYWOOD, Nov. 5.—Ray Milland has been borrowed from Paramount to play opposite Anna Neagle in the RKO-Herbert Wilcox production, "Irene."

Two Thar

But NO T



Thanksgiving, Nov. 23

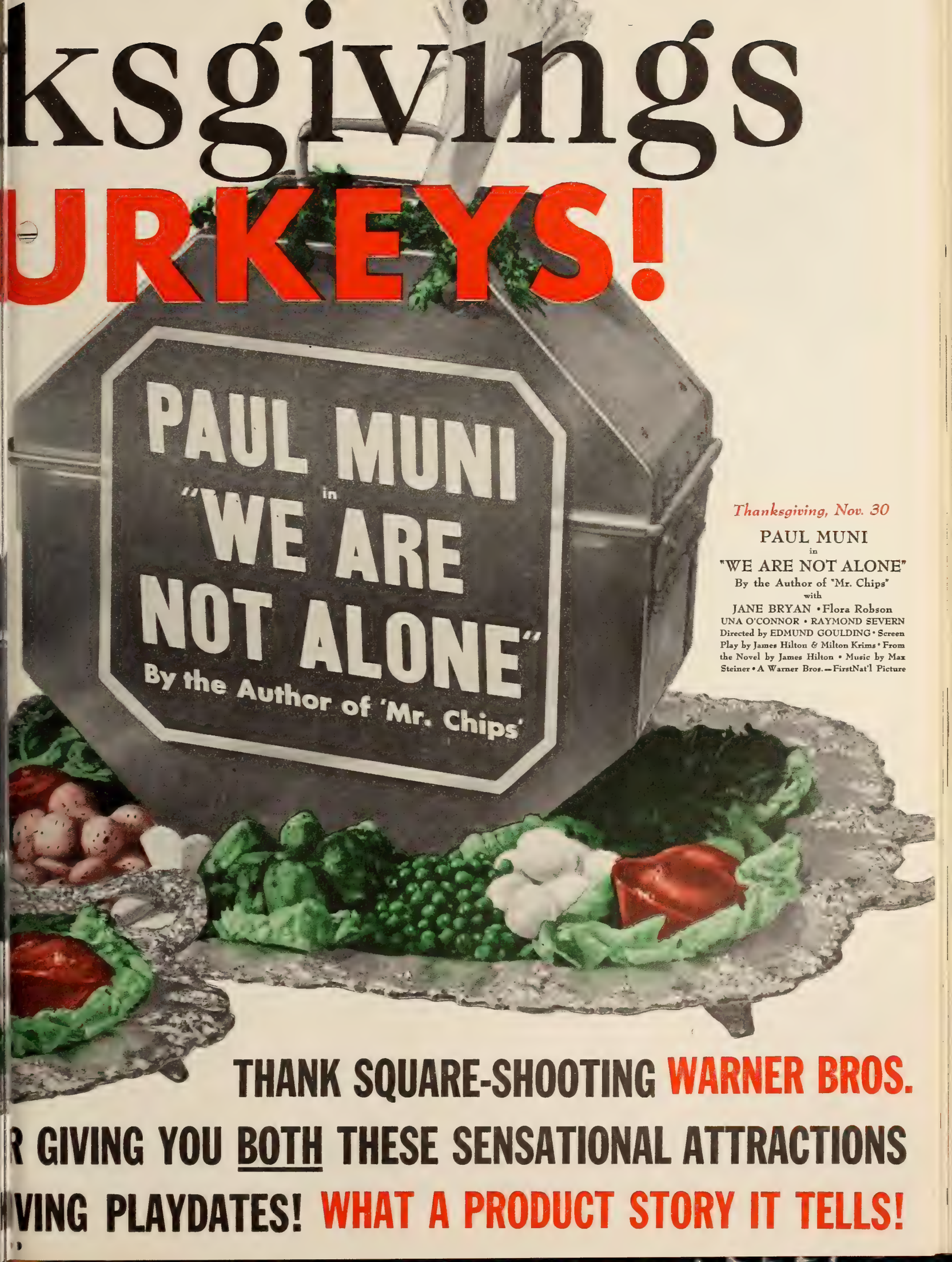
BETTE DAVIS
and
ERROL FLYNN
in
"The Private Lives of
ELIZABETH and ESSEX"
In Technicolor
with
Olivia de Havilland
DONALD CRISP • VINCENT PRICE
ALAN HALE • HENRY STEPHENSON
Directed by MICHAEL CURTIZ
Screen Play by Norman Reilly Raine & Aeneas MacKenzie • Based on the Stage Play by Maxwell Anderson • Produced by Theatre Guild, Inc.
Music by Erich Wolfgang Korngold
A Warner Bros.—First National Picture

JACK L. WARNER *In Charge of Production* . **HAL B. WALLIS** *Executive Producer*

FOR BOTH THANK

ksgivings

URKEYS!



Thanksgiving, Nov. 30

PAUL MUNI
in
"WE ARE NOT ALONE"
By the Author of "Mr. Chips"
with
JANE BRYAN • Flora Robson
UNA O'CONNOR • RAYMOND SEVERN
Directed by EDMUND GOULDING • Screen Play by James Hilton & Milton Krims • From the Novel by James Hilton • Music by Max Steiner • A Warner Bros.—FirstNat'l Picture

THANK SQUARE-SHOOTING WARNER BROS.

R GIVING YOU BOTH THESE SENSATIONAL ATTRACTIONS

VING PLAYDATES! WHAT A PRODUCT STORY IT TELLS!

Trust Suit Charges Monopoly in Omaha

OMAHA, Nov. 5.—Ralph D. Goldberg, local circuit owner, has filed an anti-trust suit in federal court against eight film companies and the firms operating first-run houses here.

Goldberg charges that the Omaha first-run houses are operating a monopoly, and he asked the court for an injunction forbidding the allegedly monopolistic practices.

The suit charges that Tri-States Theatres and the Singer-RKO Brandeis monopolize the first-run and preferred features, that they contract for more pictures than they need, that they are given favorable rental terms, rejection privileges, protection and clearance not given other exhibitors in the Omaha territory.

Goldberg asks that the buying of films be put on a competitive basis.

Producers and distributors named as defendants are: Paramount, RKO, Metro, Columbia, 20th-Fox, United Artists, Universal and Warners.

Tri-States (of Des Moines, Ia.) operate the Omaha, Orpheum and Paramount Theatres. Singer-Omaha, an RKO affiliate, operates the Brandeis. Goldberg operates one downtown house and five suburbans.

In a previous counter-suit, Tri-States has asked the court to keep Goldberg from reopening the State Theatre, due to open soon.

Talk on Censorship

H. V. Kaltenborn, CBS news commentator, will speak on "Censorship" at a luncheon of the Overseas Press Club Wednesday at the Hotel Gladstone.

1939-40
INTERNATIONAL
MOTION PICTURE ALMANAC

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QUIGLEY BOOKSHOP
ROCKEFELLER CENTER, NEW YORK

Feature Reviews

"Drums Along the Mohawk"

(20th Century-Fox)

Walter D. Edmonds' pulsing, exciting historical novel of the repercussions of the Revolutionary War in the fertile Mohawk Valley in upper New York State, has been transformed by 20th Century-Fox into an exciting, warm-blooded piece of entertainment. The color is extremely effective, and serves to enhance the finished product.

There are times when the story of the young couple who go through the hell of Indian fighting to protect themselves and the country of their choice, tends to slow the pace of the film, but these occasions are readily forgotten in the sweep of the story and the sharply-hewn suspense of a surprise Indian attack on the farmhouse and stockade fort.

With Raymond Griffith as associate producer, John Ford directed with a sure hand, throwing his individual portrayals clearly against the frontier background. Lamar Trotti and Sonya Levien prepared the screenplay from the Edmonds novel, using dramatic license where necessary for the needs of the screen medium, but in the main retaining the essential pattern of the story.

The leading roles, portraying the young couple making their home in the wilderness, are in the extremely capable hands of Claudette Colbert and Henry Fonda. Edna May Oliver, as the widow of staunch purpose into whose home the couple goes when their home is destroyed by Indians, offers a brilliant characterization. John Carradine as leader of the Tories, Ward Bond as a leader of the frontiersmen, and Arthur Shields as the pastor who bemoans the fact that he is shooting "slightly to the left," are key figures in an excellent cast.

Here is a showman's picture, backed by a novel which for a long period rested securely in the best-seller classification. It has a topnotch cast, the type of historical background which has always proved to be highly salable entertainment, and a sweeping background in brilliant color.

Running time, 103 minutes. "G."* CHARLES S. AARONSON

*"G" denotes general classification.

"Remember?"

(M-G-M)

HOLLYWOOD, Nov. 5.—A merry, madcap farce, "Remember?" is ideal screen fare for sophisticated adults who will find its nuances done in good taste. This M-G-M picture is one to be talked about, not only for its stellar cast but for its content and workmanship. It presents Robert Taylor, Greer Garson, of "Goodbye, Mr. Chips" in her second picture, and Lew Ayres, of "Dr. Kildare" and other stories, as the tops of a brilliant cast.

Milton Bren adds to his stature as a producer with this, his first production at M-G-M, and makes of "Remember?" a worthy contribution to his other successes, notably the "Topper" pictures. Norman Z. McLeod, also of "Topper" renown, wrote the original screenplay with Corey Ford, and directed the picture. The trio has achieved a picture which wends its blithe way, making the most of the situations created by two-men-and-a-girl triangle. The finished product looks as though the cast, the producer, the writers and the director had a good time making the picture. The preview audience indicated that film patrons will have a good time viewing it.

Taylor, a young advertising agency executive, meets Miss Garson, the betrothed of Ayres, a scientist who is his best friend, and weds her. His devotion to business causes their breakup, and Ayres, seeking to reconcile them, dopes them with a newly discovered medicine which causes temporary amnesia. Forgetting their troubles, which had led to an interlocutory divorce decree, Taylor and Miss Garson rewed.

The supporting cast, all of whom do excellent jobs, consists of Billie Burke in a typical Billie Burke role, Reginald Owen, George Barbier, Henry Travers, Richard Carle, Laura Hope Crews, Sara Haden, Sig Rumann, Halliwell Hobbes and Paul Hurst.

Running time, 85 minutes. "A."* VANCE KING

*"A" denotes adult classification.

Breen Suit Settled

A stipulation settling the suit of L. Abelson & Son for $22,798 damages for alleged breach of contract against Bobby Breen Productions, Inc., was filed in N. Y. Supreme Court Friday. Contract allegedly allowed use of Bobby Breen's name for 15 months for advertising clothing manufactured by the plaintiff.

Fight Plagiarism Suit

Walt Disney Enterprises, Inc., RKO Radio Pictures, Inc., Irving Berlin, Inc., and Frank Churchill on Friday filed application to dismiss the suit of Modest Altschuler for $250,000 damages. Dismissal, which is sought because of the plaintiff's failure to prosecute, will be argued Nov. 10. Altschuler claims plagiarism.

U.S. Details Asked By Fox West Coast

LOS ANGELES, Nov. 5.—Fox West Coast and major companies, defendants in the government's action accusing them of contempt of court for alleged violation of two consent decrees involving anti-trust laws, Friday filed a motion for a bill of particulars.

With Alfred Wright leading group of attorneys, the defense demanded that the government clarify the issues at stake and present instances of alleged violations of the consent decrees in order that an adequate defense can be prepared.

Hearing on the government's motion to set the trial is scheduled Nov. 13.

Charles A. Buckley, attorney for Fox West Coast, has been in New York for some time conferring at the National Theatres home office and with Richard E. Dwight, of counsel to the circuit, in connection with the Government's action.

Buckley said that differences between Fox West Coast and the independents are being conciliated through machinery set up some time ago in which the circuit and the independents are participating.

'Waterloo' to Metro

HOLLYWOOD, Nov. 5.—Through negotiations with Selznick International, M-G-M has acquired Robert E. Sherwood's "Waterloo Bridge," with Vivien Leigh borrowed to play the starring role. The story will be produced by Sidney Franklin, directed by Mervyn LeRoy.

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Nowhere else does an advertiser get this *simultaneous* impact on the family... this immediate and stepped-up response to his message. Nowhere else does the advertiser start so many conversations, so many sales, so quickly, so surely, as in radio. Because people listen *together.*

Radio's unique ability to reach a roomful of people at the same time is but one of a dozen fundamental encouragements radio gives to advertising copy. We'll be glad to submit the others, at your convenience. They, far more than the vast size of audience delivered to radio clients, explain the advertising history of the past decade. Write to 485 Madison Ave., N. Y.

Columbia Broadcasting System

Radio Personals

Alfred Lunt and Lynn Fontaine make their radio debut on the Campbell Playhouse over CBS, Sunday, Dec. 17, at 8 P. M., in "Doctor's Dilemma.". . . Peter Steele, formerly with CBS and NBC, has joined the WOR continuity department. . . .

Bob Chapman, WKY, Oklahoma City, sales manager, is recuperating from a combined attack of appendicitis and pneumonia. . . . Charles Belfi, formerly with KTSA, San Antonio, has joined the production staff of KGNC, Amarillo. . . .

Conrad Nagel is in town lining up talent for the eastern broadcasts of the Screen Actors Guild show which start Sunday, Nov. 19, at 7:30 P. M. over CBS. . . . Deems Taylor has been added to the guest list for "Fun with the Famous" over NBC-Blue tomorrow. . . .

Zazu Pitts is in New York auditioning for a prospective sponsor. . . . Victor Lusinchi has been named warfront correspondent with the French army for Mutual. Arthur Mann is serving in a similar capacity with the British Expeditionary Forces. . . .

Larry Roller is resigning from the staff of WHK-WCLE, Cleveland, after 19 years' service to join the Cleveland Automobile Club. . . . Jerry Smith, WHO, Des Moines, vocalist, was married last week to Miss Mary Nauman.

RCA Third Quarter Net Shows Increase

A consolidated net profit of $1,894,224 for Radio Corporation of America and subsidiaries for the third quarter of 1939 was reported over the weekend. This compares with $1,616,449 for the same period last year. After deductions for preferred dividends, R.C.A. earned 7.9 cents per common share.

During the first nine months, R.C.A. earned a net profit of $4,066,425, slightly under last year's figure of $4,141,205.

Billings by Mutual Show 23.1% Jump

Mutual's gross billings in October rose 23.1 per cent over the same month last year and showed an increase of 103.3 per cent over September. Billings totaled $428,221 for October, 1939, as compared with $347,771 for October, 1938, and $210,589 for September, 1939. Total for the first 10 months was $2,685,038 as compared with $2,222,026 for the same period last year, a rise of 20.8 per cent.

Mutual Challenges Roosevelt's Claim

CHICAGO, Nov. 5.—Fred Weber, Mutual broadcasting system official, yesterday disputed Elliott Roosevelt's statement that he planned to leave Mutual for broadcasts on the new Transcontinental radio system. Weber said that Roosevelt's Mutual contract has until September 1, 1941, to run and that Mutual does not intend to release him from it.

Hollywood Reviews

"Pride of the Blue Grass"

(*Warners*)

HOLLYWOOD, Nov. 5.—This Vincent Sherman story inspired by Gantry, the blind thoroughbred, and formerly titled "Gantry the Great," starts off slowly, seems to wander aimlessly along with no definite destination for long enough to put an audience off guard and then swings into a fast pace that leaves observers weeping over a happy ending for reasons they can't quite explain but don't try to. It is a strange sort of picture, unelaborately produced by Bryan Foy, unostentatiously directed by William McGann and acted simply by an inconspicuous cast, yet somehow fascinating in the beginning and finally tremendous in the finale. Somewhere in the writing, direction and acting, or all three, a lot of extremely skillful picture making is accomplished.

The cast is headed by Edith Fellows, daughter of Granville Bates, race horse owner, who befriends James McCallion, earnest son of her father's discharged and discredited jockey. The boy gives her a colt which is his only possession and goes away, but returns to become its trainer and jockey, the horse becoming a champion and then going blind. The latter part of the picture, wherein the boy trains the blind horse for the Aintree Steeplechase and wins it with him, accumulates extraordinary emotional drive.

Running time, 67 minutes. "G."* ROSCOE WILLIAMS

"The Llano Kid"

(*Sherman-Paramount*)

HOLLYWOOD, Nov. 5.—Producer Harry Sherman has taken the O. Henry story, "The Double-Dyed Deceiver" and woven it into a faithful screen translation, with Wanda Tuchock and E. D. Venturi aiding the effort by means of screenplay and direction, respectively.

Tito Guizar is well cast in the principal role, that of a bandit of Spanish origin who assumes the role of a long lost son of a wealthy Mexican family, at first as a means of sharing in the booty to be had; later in all seriousness as he realizes what the presence of her supposed son means to the mother, and discovers that he had killed her son, a gambler.

Russell Harlan's photography places the emphasis on shadow and silhouette, while Gale Sondergaard and Alan Mowbray, as the pair who bring Guizar into the original scheme, provide sharply drawn characterizations.

Jane Clayton, a newcomer, shows signs of ability in the ingenue role, and Emma Dunn provides her usual capable interpretation as the mother.

Running time, 70 minutes. "G."*

*"G" denotes general classification.

New Council Picked By Eastern S.A.G.

Members of the Eastern Chapter of Screen Actors Guild received a total of 6,687 working days during the past year, Florence Marston, Eastern representative, told the annual membership meeting Friday.

Six new contracts with Eastern producers were signed during the course of the year and $1,729 was collected for members on formal claims and approximately $2,500 after informal conferences.

Since the books for admissions for extras was closed in October, 1938, only 36 persons were admitted to the rolls, although 300 applications were received.

A new advisory council was named Friday. The successful candidates were Stephen Kent, Walter S. Weeks, Jack Harwood, Philip Ober, and Bert Wilcox, for three-year terms; Ethel Curtis, John Neilan, Frank McNellis, Robert Lynn and John Hyland for two years; Joseph McInerney, Clarence Auer, Florence Richardson, John Dale and Edward Lawrence, one year.

Medal to Goldwyn

HOLLYWOOD, Nov. 5.—In recognition of his "outstanding American citizenship and kindness to former service men," the Hollywood American Legion post Monday will award its 1939 citizenship medal to Samuel Goldwyn.

Two Holidays to Aid Broadway Business

Broadway film and legitimate theatres expect big matinee business tomorrow, which is Election Day and an official holiday in many quarters. Schools, banks and many places of business will be closed. Night theatre business will not be affected much, it is expected, as many persons do not stick close to their radios during an off-year election.

Home office of 20th Century-Fox will be closed all day. Others will close at 1 o'clock to give employes a chance to go to the polls.

This will be the second holiday this week. Armistice Day comes on Saturday. This holiday does not mean as much as it formerly did, and little if any change in grosses is expected.

'Uprising' Gets Gala Pittsburgh Opening

(*Continued from page* 1)

honor of Miss Trevor following the showing.

Directed by Penn manager Charles Kurtzman and Warner Bros. theatre publicity director Joseph Feldman, collaborating with Carl Rigrod and Lou Allman of the RKO staff, exploitation for "Uprising" reached a new high in ballyhoo for Pittsburgh, and garnered $2.50 a ticket for the premiere.

Guilds Reject Role in Wage Slash Dispute

(*Continued from page* 1)

3, we would like to state that S.W.G. has always been willing to discuss any problems of mutual interest with any organization of our fellow employees in the motion picture industry and would be very glad to meet with you or representatives of any other employees' organization on such a basis.

"Since, however, we have always jealously guarded our right to deal with producers directly and independently, we find ourselves unable to attend your meeting with producer representatives."

A meeting of executive boards of the Alliance crafts locals, scheduled Friday night, was suddenly called off without notice, with reason being given by officers that William Bioff I.A. leader, was unable to attend. No advance notice of cancellation of the session was given, confreres showing up at the meeting place being told that there would be no meeting.

Show "Wind" First, Then Settle Policy

M-G-M will open "Gone With the Wind" in selected cities before the national sales policy is definitely determined. These runs will be in the nature of tests, on the basis of which the percentages to be asked of exhibitors, the exhibition plan and promotion campaign will be set, according to present plans.

M-G-M will send the top stars of the picture to Atlanta for the world premiere at Loew's Grand Dec. 15. Clark Gable, Vivien Leigh, Leslie Howard, Olivia de Havilland and Ann Rutherford will attend the opening which will be a civic event.

Following Atlanta, the picture will open in Los Angeles and New York late in December.

Selznick on Friday concluded conferences with M-G-M executives on sales and promotion plans for the picture, and left for the Coast over the weekend. Official announcement of plans is expected from M-G-M this week.

Selznick expects to attend the Atlanta and New York openings, following which he will begin an extended vacation.

Howard Dietz, M-G-M advertising and publicity chief, is shaping up the promotion plans. William Hebert, formerly Selznick International advertising and publicity director, will assist Dietz on the picture. Perry Charles and Mel Heymann of Dietz's staff have been assigned to work with Hebert.

Drops Benchley Show

Lorillard Co. is discontinuing the Robert Benchley show, "Melody and Madness," after the broadcast on Tuesday, Nov. 14. The show is heard over NBC-Blue Tuesdays at 9 P. M. Artie Shaw featured the Old Gold program during the Summer with Benchley returning last month. No substitute has been named and Lorillard is discontinuing the broadcasts.

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First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 90 NEW YORK, U.S.A., TUESDAY, NOVEMBER 7, 1939 TEN CENTS

Drama Guild Stamps O.K. On New Pact

Sanctions Film Backing, Elects Officers

An amendment to the basic agreement which permits film companies to purchase film rights to plays prior to production on the stage was overwhelmingly approved yesterday at the annual meeting of the Dramatists Guild at the Hotel Lincoln. The vote was taken by a show of hands and there were only a scattered few who dissented.

Legitimate stage producers, although they have approved the amendment in conferences, will not formally vote on the matter until later this week.

Film companies discontinued the backing of legitimate stage productions in 1936 when the basic pact went into effect. The agreement provided that the playwright had the exclusive power to dispose of film rights after the play had been produced. This resulted in competitive bidding among film companies, although one of the companies may have provided the financial aid which made the play's production possible.

Under the new arrangement, when a film company decides to back a play it may purchase film rights before the play is produced. Payments are made on a royalty basis, depend-

(*Continued on page 2*)

Big $70,000 Looms For 'Drums' at Roxy

Broadway grosses surged over the weekend with first-run houses doing top business. An additional boost to this week's business is expected from election day crowds today.

At the Roxy, "Drums Along the Mohawk" brought an estimated $45,000 in its first four days and appears headed for a week's gross of a strong $70,000. In the first four days of the third week at the Music Hall, "Mr. Smith Goes to Washington" took an estimated $60,000 and $90,000 for the week appears likely. "Ninotchka" opens Thursday at the Music Hall.

With an estimated $15,000 for Saturday and Sunday, "Disputed Passage" should bring $38,000 for its second week at the Paramount. The film ends tonight. Tomorrow, "Rulers of the Sea" bows in. "On Dress Parade" grossed an estimated $18,000 for the first four days of the second week at the Strand.

Box-Office Smashes Comprise Forthcoming Studio Releases

One of our leading Hollywood scouts reports as follows:

"There is a group of pictures completed and ready for the theatre in the near future which probably comprises the strongest box-office productions in any similar period of Hollywood history."

Our scout reports somewhat as follows:

"Gone with the Wind"—"Probably the greatest picture ever made."

"Balalaika"—"Music wonderful, and generally great."

"Pinocchio"—"Better than 'Snow White and the Seven Dwarfs'."

"Hunchback of Notre Dame"—"A great performance by Laughton, in a massively great production."

"Abraham Lincoln"—"A superlatively fine achievement."

"Swanee"—"Another 'Alexander's Ragtime Band,' only better."

"We Are Not Alone"—"A startlingly new and different treatment. This one means progress in the art."

S. S.

RKO Case Placed Before High Court

WASHINGTON, Nov. 6.—The RKO reorganization plan was brought before the U. S. Supreme Court for consideration on a petition for a writ of certiorari filed here today by H. Cassel & Co., New York investment firm.

In bringing the case to the high court, counsel for the petitioner, which is an RKO creditor holding about $200,000 of the company's debentures. pointed out that it presents for the first time the issue of whether in the rehabilitation of a solvent debtor under Section 77-B of the Bankruptcy Act, fully secured bond holders may be

(*Continued on page 2*)

All Warner Shorts Ready by January 1

HOLLYWOOD, Nov. 6.—Warners will complete production of the entire 1939-'40 short subject program by Jan. 1. Six subjects will be made during the rest of November and December.

Gordon Hollingshead, in charge of shorts production, will confer in January on the 1940-'41 product with Jack L. Warner, Hal B. Wallis and Norman Moray, short subject sales chief.

Mrs. Hope Williams Marries in London

LONDON, Nov. 6.—Mrs. Hope Williams, manager of the London Bureau of Quigley Publications, was married today to Peter Burnup of the editorial staff of the *News of the World*. Mrs. Williams, widow of J. D. Williams, is widely and popularly known in the industry throughout the world. Mr. and Mrs. Burnup will make their home at The White House, Regents Park, London.

Cole Lauds Gains By Independents

DALLAS, Nov. 6.—The independent exhibitor movement is gaining ground every day, Col. H. A. Cole, national Allied president, said today in keynoting the two-day annual convention of the Texas Allied unit at the Baker Hotel here.

"Action has outstripped conversation in our industry," Cole said. "Two years ago there were despair and lethargy, last year some hope but little expectation of relief, and today there is a certainty that the shaky structure is to be torn down, and replaced by a more liveable home.

"It is necessary to demolish, but who will take a hand in rebuilding? Is it to be Governmental bodies who do not know the problems of this intricate industry? Shall we turn it over to selfish leaders, or will the independent, now a power, have the intelli-

(*Continued on page 3*)

Shirley Temple Film On Road Show Basis

"The Blue Bird," Shirley Temple's new color picture, will be withdrawn from Twentieth Century-Fox's release schedule and held for a national road show treatment, it was announced yesterday by Herman Wobber, general manager of distribution.

In place of "The Blue Bird," which had been scheduled for Christmas week engagements, the company will release Sonja Henie's "Everything Happens at Night," now nearing completion.

The decision to handle "The Blue Bird" on a road show basis was made following a studio conference between Wobber, Darryl Zanuck, production chief, and other studio and sales executives.

Dec. 6 Parley To Seek Wage Fight Solution

Painters Grant Producers Additional Time

HOLLYWOOD, Nov. 6.—Producers today bid for additional time in dealing with the present studio wage situation.

Representatives of the producers met today with officials of Moving Picture Painters Local 644 over the latter's demand for a 15 per cent wage increase, and adjourned with the painters planning to present the producers' arguments to the members at the local's next meeting.

The painters are asking the wage boost, claiming that it had been promised to them.

The producers requested that consideration of the matter be postponed until Dec. 6 when New York company heads and International presidents of several unions in the studio basic agreement will meet.

Producers and I.A.T.S.E. representatives met Saturday afternoon for two hours, debating the former's appeal that the I.A. relinquish the 10 per cent wage increase which it won recently. No decision was reached. Further meetings are planned.

Co-Op Buying Drive Planned at Chicago

CHICAGO, Nov. 6.—The Allied board of directors is meeting tomorrow to discuss the possibility of starting a cooperative booking and buying combine. Plans for action to get the distributors to lower film rentals also will be discussed as Allied members are aroused over the current wave of price increases for film rentals. Exhibitors believe that the film buying and booking combine may be the best instrument to protect themselves against what they feel is unfair treatment.

Philadelphia Ruling Strikes at Majors

PHILADELPHIA, Nov. 6.—Federal Judge Kirkpatrick issued a ruling today to the effect that the Sherman anti-trust act was violated by a master contract between major film companies and distributors.

The judge issued a temporary injunction to the Landis Theatre, Vineland, N. J., restraining 13 producers, distributors and exhibitors from continuing a contract now existing.

Purely Personal

CARL LESERMAN, assistant general sales manager for Warner Bros., returned to his desk yesterday, after a trip to Los Angeles.

•

LEW SCHREIBER, casting director at Twentieth Century-Fox studios, who has been in New York for a week, cut his vacation short due to the illness of his daughter, and returned to Hollywood last night. MRS. SCHREIBER left Sunday for the Coast.

•

EDWARD LACHMANN of the Jersey Theatre, Morristown, N. J., on Saturday became the father of twin boys, born to MRS. LACHMANN in Morristown. She is the daughter of HARRY ROTH, theatre owner in that city.

•

WILLIAM C. GEHRING, central division manager of 20th Century-Fox, will leave the Fifth Avenue Hospital tomorrow. He is recuperating from a minor operation.

•

CLYDE BASIUS has been named 20th Century-Fox salesman in Salt Lake City. ROBERT CLARK has succeeded him as ad sales manager there.

•

ARCHIE WELTMAN of the Loew legal department is convalescing at his home in Brooklyn following an operation at the Medical Center.

•

AMERICO ABOAF, formerly Paramount chief in Italy, is due Thursday on the *Rex*.

•

H. M. RICHEY, director of exhibitor relations for RKO, is attending the Texas Allied convention in Dallas.

•

BEN GRIEFER, house manager at the Paramount, and ELAINE CONHEIN are engaged.

•

LEOPOLD FRIEDMAN, Loew's general attorney, and MRS. FRIEDMAN have returned from their honeymoon.

•

P. J. WOLFSON, RKO producer, left over the weekend for the Coast.

•

BETTE DAVIS is taking a vacation tour by motor through Canada.

•

ROBERT SPARKS, Columbia producer, was in Cincinnati over the weekend.

•

HARRY BRANDT leaves for the Coast Nov. 15.

Koster Party Tomorrow

Universal will play host tomorrow at a reception in honor of Henry Koster, producer of the Deanna Durbin pictures, and Lewis Howard, who makes his debut in "First Love," at 5 P. M. in the Rockefeller Center Club lounge in the RCA Building.

For Lunch, Dinner or Supper
LaHIFF'S TAVERN
The Industry's
MEETING and EATING PLACE
156 W. 48th St. Tel. CHickering 4-4200

Highest Court Asked to Rule On RKO Case

(*Continued from page 1*)

relegated to an equity position and forced to take securities of a less value than those they originally held.

The RKO reorganization plan, which has been given the consent of the large majority of the company's creditors, proposes to issue new preferred and common stock to holders of the company's old debentures. No bond issue is contemplated under the plan.

The plan has been approved by the Federal District court in New York and by the Second Circuit Court of Appeals after Cassel and other RKO creditors had taken appeals. The Cassel petition seeks a review of the Circuit Court decision by the Supreme Court.

Doubt Any Delay For Reorganization

Attorneys for Atlas Corp., proponent of the RKO reorganization plan, stated yesterday that they did not believe that the petition for a Supreme Court review of the plan would result in any delay in consummation of the reorganization.

They also stated that it was unlikely that the petition would have the effect of delaying the new Atlas proposal for underwriting $1,500,000 of new RKO common stock.

The attorneys said that a decision on the petition could be expected within a few weeks. If the petition is denied the appeal ends there. If it is granted, the appeal would go on the Supreme Court calendar and might be heard in December and decided in January.

In this event, a favorable decision would not delay consummation of the reorganization inasmuch as hearings before a special master on the new underwriting proposal and approval of the proposal by the court are expected to require approximately the same amount of time.

F. & M. Executives Close N. Y. Meetings

Fanchon & Marco executive meetings have been concluded here following a week of discussions. Attending were Jack Partington, president; Harry C. Arthur from St. Louis, and Marco Wolf and Fanchon Simon from the Coast.

The company is concentrating largely on its theatre operations. A remodeling program is under way in St. Louis, but not expansion is contemplated.

Sam Dembow, Jr., who recently resigned as a vice-president, is remaining with Fanchon & Marco pending the completion of other plans.

Bromberg's Brother Dies

EAST ORLEANS, Nov. 6.—Frederick William Bromberg, prominent jeweler, and brother of Arthur C. Bromberg, president of Republic Pictures of Atlanta, died while vacationing here last week. Funeral services were held Saturday at his home in Birmingham, Ala. His wife, four sons and his brother survive.

Buys Own Publicity!

Moberly, Mo., Oct. 6.—Lou Sosna of the Sosna Theatre here took a full-page ad in the local paper which he paid for himself, without any co-operative tieups.

Sosna has Warner product under contract, and he filled the page with publicity stories on the general lineup, ads on current and future product and stills. The layout also featured a picture contest with free tickets as prizes.

Ferguson, Hebert Leave for Atlanta

William R. Ferguson, M-G-M exploitation manager, and William Hebert of Howard Dietz's staff leave today for Atlanta to set the world premiere of David O. Selznick's "Gone With the Wind" at Loew's Grand Theatre Dec. 15.

Atlanta is the locale of the picture, and it will be given an extensive campaign for the opening. On the night of Dec. 14 there will be a civic ball sponsored by the Junior League amid recreated atmosphere of the Civil War days. State and city notables will be present.

Following the opening, the film will play at the Atlanta theatre twice daily, on a reserved seat basis. The film's running time is three hours and 40 minutes.

M-G-M and Selznick have not as yet decided whether the picture will be roadshown on a two-a-day basis elsewhere.

Associates to Fete Dick Powell, Wife

Dick Powell, in the East for personal appearances, and his wife, Joan Blondell, will be honor guests at a luncheon meeting of the Motion Picture Associates at Dinty Moore's restaurant tomorrow.

Prizes totaling $350 in cash will be awarded to those who lead in soliciting advertising for the journal of the Motion Picture Associates, in connection with the organization's annual dinner and dance at the Hotel Astor Nov. 25. Members are doing the work.

Ward Morris Dies

SAN FRANCISCO, Nov. 6.—Ward Morris, 48, local executive of Fox West Coast Theatres and Golden State Theater and Realty Corp, died at Mayo Clinic in Rochester, Minn., after brief illness. At one time Morris was manager of the Chutes Theatre here.

Asher Coming East

HOLLYWOOD, Nov. 6.—Irving Asher will leave here Wednesday for New York to confer with Jack Cohn regarding Asher's possible return to England to resume production of Columbia pictures there. He has been here for two weeks.

W. L. Stewart Dies

TORONTO, Nov. 6.—W. L. Stewart, 69, who had owned and operated theatres in London, Ont., since 1911, previous to which he had been in vaudeville as a tap dancer and singer for many years, died here from a heart attack at his Rex Theatre.

Drama Guild Stamps O.K. On New Pact

(*Continued from page 1*)

ing on the length of the play's run, plus a down payment.

Elmer Rice was elected president of the Dramatists Guild to succeed Robert E. Sherwood. Other officers who were reelected were George Kaufman, vice-president; Richard Rodgers, secretary; Luise Sillcox, treasurer, and Edward C. Carpenter, chairman of the board. Approximately 150 members were present.

Sherwood was named to the executive board to serve until 1942, as were George Abbott, Robert Ardrey, Russel Crouse, Owen Davis, Clifford Goldsmith, Lillian Hellman, Sidney Kingsley, Arthur Kober, and George Middleton. Maxwell Anderson and Leopold Atlas were named to serve until 1941.

Guild representatives to the board of the Authors League who were elected were Gene Buck, Marc Connelly, Crouse, Phillip Dunning, Moss Hart, John H. Lawson, Albert Maltz, Kenyon Nicholson, Arthur Richman, Arthur Schwartz, A. E. Thomas and Stanley Young.

Yates and Grainger At Chicago Meeting

Herbert J. Yates and James R. Grainger, president of Republic, left yesterday for Chicago to conduct a sales meeting today at the Drake Hotel which is being attended by Midwest franchise holders and branch managers.

Similar meetings will be held for the Southwest personnel at the Adolphus Hotel, Dallas, Thursday, and for the Southern staffs at the Henry Grady Hotel, Atlanta, Friday.

A West Coast meeting is planned for Los Angeles or San Francisco later in the month.

Edits I.T.O. Paper

LOS ANGELES, Nov. 6.—Nat Tanchuck has been appointed editor of *Ind-Ex*, monthly publication of the Pacific Coast Conference of Independent Theatre Owners.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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'Tomorrow' Is Loop Winner With $14,800

CHICAGO, Nov. 6.—Business was dull in the Loop with "When Tomorrow Comes" and "The Under-Pup" scoring $14,800 at the Oriental for the best comparative gross.

Estimated takings for the week ending Nov. 1-4:

lywood Cavalcade" (20th-Fox)
APOLLO—(1,400) (25c-55c-75c) 7 days. Gross: $4,600. (Average $6,000)
"Roaring Twenties" (W.B.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Vaudeville Revue. Gross: $32,000. (Average $32,000)
"When Germany Surrendered" (Ind.)
"Dancing Coed" (M-G-M)
GARRICK—(900) (35c-40c-65c) 7 days. Gross: $5,800. (Average, $5,000)
"When Tomorrow Comes" (Univ.)
"The Under-Pup" (Univ.)
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $14,800. (Average, $13,000)
"Fifth Avenue Girl" (Radio)
PALACE—(2,500) (35c-55c-75c) 7 days. 2nd week. Stage: Joe Cook and Revue. Gross: $17,500. (Average, $18,000)
"Thunder Afloat" (M-G-M)
ROOSEVELT—(1,300) (35c-55c-75c) 7 days. Gross: $11,200. (Average $11,000)
"Island of Lost Men" (Para.)
STATE-LAKE—(2,700) (25c-35c-40c) 7 days. Stage: A. B. Marcus Revue. Gross: $16,600. (Average, $12,000)
"Babes in Arms" (M-G-M)
UNITED ARTISTS (1,700) (35c-55c-75c) 7 days. 3rd week. Gross: $10,200. (Average $14,000)

Metro Ends English Filming During War

M-G-M has called off production in England for the duration of the war, officials said yesterday. If it becomes necessary to revive production there, it will be without the elaborate productions scheduled before the outbreak of war, which called for American players, directors and production staff.

Ben Goetz, formerly in charge of M-G-M's British production, has resigned and will spend some time at Tucson, Ariz., recuperating from a recent operation. Goetz, now on the Coast, was offered a big post at the Culver City studio, but declined.

'Letty Lynton' Case To Supreme Court

WASHINGTON, Nov. 6.—The "Letty Lynton" copyright case again is before the U. S. Supreme Court, brought there on a petition filed by M-G-M for review of a decision of the Second Circuit Court of Appeals.

The petition contends that the court erred in reversing a decision of the District court and erred in disregarding the findings of that court without reversing them. Also a court error is contended in its refusal to limit the copyright prohibition, as the company claims is provided in the law, by holding that the component parts of a play were copyrightable although not new, and in excluding material from the public domain.

John Saxe Dies at 66

MILWAUKEE, Nov. 6.—John E. Saxe, 66, retired Wisconsin exhibitor and president of the Republic Investment Co., local real estate firm, died in Miami, where he had gone for his health. Saxe is survived by a son, four daughters, two brothers and six sisters.

Barrymore Season

Pittsburgh, Nov. 6.—Barrymore season is here. Ethel played the Nixon last week in "Farm of Three Echoes." Diana, John's daughter, is due next week in "Outward Bound" at the same theater. Scheduled for a week in the Nixon later in the Fall or Winter is John in "My Dear Children."

Cole Lauds Gains By Independents

(*Continued from page* 1)

gence to assert himself in seeing it done properly?"

Abram Myers, speaking this afternoon, offered as suggested topics for consideration, the effect of the war on the business, the product situation, efforts to circumvent reforms, the nature of the concessions made by the distributors, and the growing competition of radio, itinerant shows, 16mm. and television.

The meeting will conclude tomorrow with reports of committees, a closed discussion of trade practices and election of officers.

Two Circuit Deals Closed by Warners

Warners yesterday announced the consummation of 100 per cent product deals for the new season with the Publix, Rickards & Nace circuit, operating 25 houses in Phoenix, Tuscon and northern Arizona, and with the Century circuit, operating 45 theatres in Long Island and Brooklyn.

Suspended, Sues Society

HOLLYWOOD, Nov. 6.—Charles V. Henkel, film editor suspended by the Society of Motion Picture Film Editors for allegedly working for an independent producer for less than the scale, today filed a $126,000 damage suit against the organization, its president, Edmund Hanna, Walter W. Sharpe, another officer, and 20 John Does. He claims he was unjustly suspended.

Sherwood Pushes Suit

Robert E. Sherwood and the Playwrights Producing Co., Inc., will apply Thursday for an order directing Franklyn Underwood, story editor of the 20th Century-Fox, to testify before trial in connection with Sherwood's suit charging the Fox film, "Young Mr. Lincoln," as unfair competition to the play, "Abe Lincoln in Illinois."

Thieves Rob Theatre

BUFFALO, Nov. 6.—It pays to be sure everyone is out of the theatre after the last show. Thieves believed to have hidden under the seats in the Broadway Lyceum Theatre after the last performance the other night stole $6 from a candy machine, some tools and an amplifying device.

Buys Zane Grey Novel

HOLLYWOOD, Nov. 6.—Twentieth Century-Fox today purchased "Western Union," last novel written by the late Zane Grey, and will produce it as a high budget picture.

M-G-M Plans Film on Wild Animal Life

HOLLYWOOD, Nov. 6.—M-G-M is preparing a picture on conservation of American wild life from the original story of NATHANIEL WEST and GORDON KAHN, "Heritage of the Wild." It concerns the activities of G-men fighting against poaching on national game preserves.

WALTER PIDGEON joins the cast of Wanger's "House Across the Bay," which co-stars GEORGE RAFT and JOAN BENNETT. . . . BONITA GRANVILLE has been borrowed from Warners by Paramount for the lead in "At Good Old Siwash," opposite WILLIAM HOLDEN. She will appear in the final scenes as a 50-year-old woman.

Item from Warner news release:

"Red Check Hen. No. 423, bird from the loft of T. C. WRIGHT, Warner production manager, won the 400-mile Young Bird Race, the blue ribbon racing event of the Fall season, flown recently from Marysville, Calif., to Los Angeles. Contesting with 106 birds, the Wright entry made a speed of 1,010 yards per minute."

ARTHUR LUBIN brought in "The Big Guy," starring JACKIE COOPER and VICTOR MCLAGLEN, one day under schedule at Universal. It is his first high budget directorial effort.

Columbia apparently will make a series of pictures based on the "Lone Wolf" character and preparations are being made for the second film, again to star WARREN WILLIAM. SIDNEY SALKOW will direct it, as yet untitled. The first at Columbia was "The Lone Wolf Spy Hunt," released in the early part of the year. . . . WILL GEER, film-stage actor brought from New York to appear in "Fight for Life," United States Public Health Service film made here by PARE LORENTZ, has returned to New York.

Republic has started "Days of Jesse James," starring ROY ROGERS with GEORGE (GABBY) HAYES in support. JOSEPH KANE is producing and directing. . . . M-G-M has purchased "Dawn's Early Light," original story by DOROTHY THOMPSON and FRITZ KORTNER. It is a cavalcade of American pioneer history.

NORMAN MCLEOD and COREY FORD returned last week in time to witness the preview of their latest picture, "Remember?" . . . On the same train was ALASTAIR MACBAIN, another M-G-M writer. . . . STEFFI DUNA joins the cast of "The Girl and the Gambler," in which RKO has placed RICHARD DIX, CHESTER MORRIS and LUCILLE BALL.

JANE GILBERT draws a lead in "Alex in Wonderland," Warner short. . . . "City of Conquest" will be JAMES CAGNEY's next vehicle at Warners instead of "The Story of John Paul Jones." He is now working in "The Fighting 69th." . . . JACK FIER, producer, and CHARLES BARTON, director, are preparing for Columbia's second "Little Peppers" story—"Five Little Peppers Midway"—to star EDITH FELLOWS.



TRUE STORIES FROM ALTEC FILES



JOHN B. EAMES
President,
Interstate Amusement Co., Inc.,
Littleton, N. H.

Helps Exhibitor Move Equipment to New Location

LITTLETON, N. H.—"When we decided to move our theatre operations in Colebrook, N. H. from the former location at the Halcyon Theatre to the new Jax Theatre, we only gave ourselves from Tuesday afternoon to Thursday afternoon.

"When you consider the headaches involved in moving all the complicated machinery a theatre contains in so short a time, and that we announced our opening at the Jax for the Thursday matinee at 2 P.M., you can realize how worried I was.

"Not only did the Altec inspector, Jennings, do a fine job of supervising, but he rolled up his shirt sleeves and helped our men in every way throughout the entire change over. When he saw how worried I was about opening on time, he quietly assured me we would be ready with both perfect sound and projection.

"As Jennings promised, we opened in perfect shape at the time we announced."

• • •

Throughout the country, Altec inspectors have won the respect and friendship of exhibitors, managers and projectionists because of their willing cooperation in matters "over and above the contract."

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SERVICE CORPORATION

250 West 57th Street, New York City

THE SERVICE ORGANIZATION
OF THE MOTION PICTURE INDUSTRY

FCC Assigns Current Week Air Hearings

WASHINGTON, Nov. 6. — The Federal Communications Commission has announced its schedule of broadcast hearings for the current week, as follows:

Nov. 7: Applications of KFIO, Spokane, Wash., for change of frequency from 1,120 to 950 kilocycles, extension of time from day to unlimited and increase of power from 100 to 1,000 watts, and Lakeland Broadcasting Company for a new 680-kilocycles, 250-watt daytime station at Willmar, Minn.

Nov. 8: Application of the Gazette Co. for a new 1,420-kilocycle, 100-watt stat ion at Cedar Rapids, Ia.

Nov. 9: Application of F. W. Meyer for a new 1,310-kilocycle station at Denver, with 100 watts night, 250 watts day.

It was also disclosed that a hearing will be held Nov. 8 in Boston on the application of the Mayflower Broadcasting Corp. for a new station using the facilities of WAAB, on 1,410 kilocycles with 500 watts night, 1,000 watts day, and WAAB for renewal of license.

Seek New Station Permits

Applications for construction permits for three new broadcasting stations, in Georgia and Michigan, have been filed with the commission.

Applicants were E. D. Rivers, Valdosta, Ga., seeking a 1,420-kilocycle station with 100 watts power night, 250 watts day; Dixie Broadcasting Corp., asking a 1,210-kilocycle, 250-watt station, and Leonard A. Versluis, Grand Rapids, Mich., proposing a 1,310-kilocycle, 250-watt station.

Other applications received by the commission included the requests of the L. & M. Broadcasting Co., Ottumwa, Ia., for night power of 100 watts and day power of 250 watts, instead of 250 watts night and day, for a new 1,210-kilocycle station for which it had previously applied; WKOK, Sunbury, Pa., for increase of power from 100 to 250 watts, and KWEW, Hobbs, N. M., for change of frequency from 1,500 to 1,310 kilocycles, extension of time from day to unlimited and increase of power from 100 to 250 watts.

The commission has ordered hearings, on dates to be assigned later, on the construction permit applications of J. D. Falvey for a 1,210-kilocycle, 100-watt station at Ottumwa.

New Network Lists 115 Members Dec. 1

Names of approximately 115 stations which will form the new Transcontinental Broadcasting System will be announced Dec. 1, Elliott Roosevelt declared yesterday. The network should be ready for operation Jan. 1 as scheduled, Roosevelt said.

Joins CBS Network

WCSC, Charlotte, N. C., an NBC station, will join the CBS network on Jan. 1. WCSC operates on 1,360 k.c. with 1,000 watts power, day and night.

Hollywood Review

"Blondie Brings Up Baby"

(Columbia)

HOLLYWOOD, Nov. 6.—By now the what and why of the Blondie series is by way of becoming one of the known quantities of the film flow from Hollywood, but this number hikes the mean-average rating of the series substantially. This is by far the best of the series to date, not excluding the first, which had its "first-ness" as an extra asset in its behalf. Into this one have been poured more and better laugh lines and situations and, additionally, a straight hard pull at the emotional center which reacts to straight drama. Exhibitors who bill this as the best "Blondie" need stake out no air raid shelter beforehand.

Robert Chapin, Karen De Wolf and Richard Flournoy wrote the present story, Gladys Lehman and Flournoy preparing the script, and there is enough of body and plot and humor in it to show that none of the four loafed through the assignment. Incidents include the postman's daily disaster, the starting of Baby Dumpling to school, the loss of his dog, the loss of his father's job, the loss of Baby Dumpling himself and, related to these, adventures and complications as effective as numerous, as amusing as the best of Chic Young's cartoon strips.

Producer Robert Sparks and director Frank Strayer have worked out a tremendously effective and dependable method of translating the cartoon humor to the screen, a blending of the straight and the technological arts to produce a type of film all their own. In this item they develop this method to what seems, from audience reaction, a point of approximate perfection.

Running time, 67 minutes. "G."* ROSCOE WILLIAMS.

**"G" denotes general classification.*

Radio Personals

Lathrop Mack, formerly with Associated Press sports staff, yesterday was named sports editor at NBC, by A. A. Schechter, news, special events director.

Kay Kyser, band leader, has been appointed chairman of the orchestra division of the Christmas Seal campaign. . . . F. C. Wiley, business manager of the Modesto *Daily Bee*, has been made assistant general manager of five McClatchy stations and three newspapers, all in California. He will make his headquarters in Sacramento. . . . Bill Farley is celebrating the first anniversary of his connection with WICC, Bridgeport. . . .

Effective Dec. 10, Campbell Soups has renewed the contract of Orson Welles as director-star of "Campbell Playhouse," heard over 67 CBS and 14 C.B.C. stations Sundays at 8 P.M. Campbells has also signed Helen Hayes to an exclusive contract. . . .

Leonard Liebling starts Sunday as permanent arbiter on Ted Cott's "So You Think You Know Music," heard over CBS at 2:30 P.M.

High Court Upholds FCC Crosley Ruling

WASHINGTON, Nov. 6.—The U. S. Supreme Court today spoke the last word in the super-power case when it rejected a petition of the Crosley Company for review of the action of the Federal Communications Commission in revoking the station's experimental 500 kilowatt license.

Small Plans 'Corsican'

HOLLYWOOD, Nov. 6.—Edward Small plans to produce "The Corsican Brothers," Alexander Dumas story. The film will go into work shortly, and will be released by United Artists.

Second Nick Trial Starts in St. Louis

ST. LOUIS, Nov. 6.—The second trial of John P. Nick, deposed head of the local operators union, on a charge of extorting $10,000 from theatre owners in 1936 during wage contract negotiations, started today in Circuit court. First trial ended in a mistrial after a juror spoke to a witness.

Fourteen intervenors in the receivership suit which ousted Nick from union control, today notified Circuit Judge Ernest F. Oakley that they intend applying to the State Supreme Court for a writ of prohibition to prevent the judge from authorizing expenditures of union funds for expenses of members picketing the Fanchon & Marco houses.

Museum Concludes Its Cycle of 70 Films

Museum of Modern Art concluded its presentation of the Cycle of 70 Films with screening yesterday of "I Am a Fugitive from a Chain Gang." Hereafter the Museum daily will show pictures selected from the cycle which have been received favorably.

Program set for this week is as follows: Today, "The New York Hat," "The Fugitive," "The Clever Dummy" and "A Fool There Was;" Wednesday, "Madame Sans-Gene," "La Dame Aux Camelias," "Vanity Fair" and "Cenere;" Thursday, "The Birth of a Nation;" Friday, primitive German films, "Don Juan's Wedding," "Misunderstood," "The Cabinet of Dr. Caligari" and "The Golem;" Saturday, "Robin Hood."

Majestic Trustee

CHICAGO, Nov. 6.—Federal Judge John P. Barnes today appointed Claude A. Ross as trustee of Majestic Radio & Television Corp. under the Chandler Act. Nov. 20 was set as the date for the trustee's report, Dec. 4 for filing a reorganization plan, and Dec. 27 for a hearing on the plan.

Broadcast Music To Raise $2,000,000 Via Stock, Licenses

WASHINGTON, Nov. 6.—Plans to raise $2,000,000 through the sale of stock and licenses to finance its plans to fight Ascap are revealed in the registration statement filed with the Securities and Exchange Commission by Broadcast Music, Inc., subsidiary of the National Association of Broadcasters.

The statement, signed by Neville Miller, president, who also will be president of the music organization, shows that it is planned to sell 80,000 shares of $1 par value stock at $5 per share, raising $400,000, and that it is estimated $1,600,000 will be derived from the issuance of licenses to use the music. The full amount of stock authorized for issue is 100,000 shares, 20,000 of which will be retained for the present.

The stock is to be sold to the owners and operators of broadcasting stations who acquire licenses, each to take stock equal approximately to 25 per cent of the amount payable for the license agreements.

Temporary offices have been established by Broadcast Music at 165 Broadway, New York.

The charter of Broadcast Music provides that it may conduct development and research in music and copyrights as well as license the use of such copyrighting music as it may acquire.

Oscar Olson Heads Club in Milwaukee

MILWAUKEE, Nov. 6.—Oscar Olson, business manager of the local operators union, has succeeded Charles W. Trampe as chief barker of the Variety Club here. Other officers are Frank Mantzke, assistant chief barker; Jack Frackman, treasurer, and B. J. Miller, secretary.

The directors, besides the officers, are Frank Clark, Frank Fischer, H. J. Fitzgerald, George L. Levine, Jack Painter, Jack Silliman, Trampe, E. J. Weisfeldt and Sam Shurman.

F. C. C. Will Reopen Monopoly Hearings

Network officials refused to comment yesterday on the F.C.C. decision to reopen the monopoly hearings to investigate refusal of stations to take world series' broadcasts. Mutual, which had exclusive rights to the games, offered them to stations affiliated with NBC and CBS, but received many refusals. The F.C.C. has sent questionnaires to stations to determine if any attempt was made "by any person or organization to persuade you against broadcasting the programs."

Delay Picketing Suit

ST. LOUIS, Nov. 6.—The Fanchon & Marco Service Corp. suit for injunction to restrain picketing of the Fox Theatre and the seven neighborhood houses it operates for the St. Louis Amusement Co., has been continued until Thursday in the Clayton Circuit Court.

Circuit Books 'Beast'

The Wilmer & Vincent Circuit has booked "Hitler—Beast of Berlin," produced by Producers Distributing Corp.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 91 NEW YORK, U. S. A., WEDNESDAY, NOVEMBER 8, 1939 TEN CENTS

Studio Crafts Vote to Keep Wage Boosts

Situation Becomes More Grave in Hollywood

HOLLYWOOD, Nov. 7.—Bold action replaced subtle maneuverings today as the studio wage situation developed greater gravity.

Business agents and International representatives of 16 American Federation of Labor unions met today and pledged themselves unwilling to relinquish the 10 per cent wage increase which was recently granted to the I.A.T.S.E.

The unions went even a step further and announced their intention to seek a similar 10 per cent boost for all other A. F. of L. unions engaged in studio work.

The unions added that in the event the I.A.T.S.E. should abrogate the increased wages if the producers offer conclusive evidence of financial peril to the entire industry as the result of the shattered foreign market, "there must be a careful scrutiny of the sums which the industry pays to producers

(*Continued on page 3*)

Sears Is Presiding At Warner Meeting

Gradwell L. Sears, Warner general sales manager, is presiding at a mid-season sales meeting which started yesterday and will end Thursday. District sales managers are discussing with home office executives the merchandising of Fall and Winter product and the next annual Sears drive. The sessions are at the home office.

In addition to Sears, executives attending include Major Albert War-

(*Continued on page 2*)

Korda to Attend UA Meeting on Tuesday

Alexander Korda is scheduled to arrive in New York tomorrow aboard the *Atlantic Clipper,* which left Lisbon, Portugal, yesterday.

Korda is en route here to attend the annual meeting of stockholders of United Artists, of which he is a one-fifth owner, together with Mary Pickford, Charles Chaplin, Douglas Fairbanks and Samuel Goldwyn. The annual meeting will be held here next Tuesday.

Korda is also expected to discuss several proposals under which he might produce in Hollywood. His British production activity has been severely handicapped by the war.

Televising of Old Films Encounters Legal Difficulties

Legal complications over television rights are preventing NBC from televising old time films. Blocked by the refusal of major companies to provide product, television officials have been filling in with independent and foreign made films.

However, in attempting to purchase films made before 1930, considerable difficulty has been encountered because film rights were granted for stories and music but no provision was made for television rights. Although the film itself is televised, NBC attorneys feel that a legal question is presented and are reluctant to furnish the basis for a law suit.

It is felt that films produced in the silent era would make excellent program material for television.

Rights to these films are held by either major companies who refuse to allow them to be sent over the air, or by companies now dissolved from whom rights cannot be obtained.

Zukor Goes Nov. 21 To Mexican Parley

HOLLYWOOD Nov. 7. — Adolph Zukor, chairman of the Paramount board of directors, will leave Nov. 21 for the company's annual Mexican sales convention in Mexico City, starting Nov. 29. The Mexican trip will be preliminary to the more extended journey next Spring when Zukor will visit Cuba and Panama.

BRITAIN MAY O.K. 50% WITHDRAWAL OF U.S. FILM CASH

According to semi-official advices here, U. S. Ambassador Joseph P. Kennedy and the British Government in London are close to an accord whereby American film distributors, for the coming year, will be permitted to withdraw from England up to 50 per cent of their annual net revenue, of $17,500,000.

The aggregate yearly revenue of the American companies in Britain is about $50,000,000, of which $15,000,000 is expended on operations.

The proposal contemplates the withdrawal of 60 per cent of the amount permitted during the first six months and 40 per cent during the second six months until the full $17,500,000 shall have been exported.

The first proposal by the British Government was one which would have cut the American remittances to $10,000,000 annually.

Money impounded in England could be used for production purposes there with liberalized quota credits having been suggested to make that procedure more attractive to American companies. Also understood to have been

(*Continued on page 2*)

K-A-O 39-Week Net Reaches $476,540

Keith-Albee-Orpheum Corp. and subsidiary companies report for the 39 weeks ended Sept. 30, 1939, net profit after all charges of $476,540.75, equal to $7.41 per share on 64,304 shares of 7% cumulative convertible preferred.

The net compares with a net profit for the same period in 1938 of $596,049.83, equal to $9.26 per share on the same stock. An estimated figure for the 52 weeks ended Sept. 30, 1939, shows a net profit of $877,486.82.

B. F. Keith Corp., and subsidiary companies, report net profit after all charges of $156,571.73, which compares with net profit for the same period in 1938 of $368,281.46. An estimated net profit for the 52 weeks ended Sept. 30, 1939, is reported at $368,281.46.

Many Exhibitors Observing Thanksgiving on Two Days

As a general rule it appears that large city exhibitors will follow their state Governor's proclamation on Thanksgiving Day, whether or not this conflicts with the President's proclamation designating Nov. 23 as the date of observance. However, many exhibitors plan to operate on holiday policies on both Nov. 23 and Nov. 30.

Cincinnati exhibitors find themselves in a peculiar position due to the fact that Ohio will observe Thanksgiving on Nov. 23, while Kentucky, just across the Ohio River, will ignore that date in favor of Nov. 30. From present indications, most Cincinnati theatres will operate on holiday policies on Nov. 23 only, despite the fact that nearby Kentucky houses are planning to observe both days.

In New York City all houses will observe the Nov. 23 date only. New England states are observing Nov. 30.

Following is a prospectus of exhibitors' plans elsewhere.

Colorado Is Split

DENVER, Nov. 7.—Colorado is split over which day to officially celebrate as Thanksgiving and as a result many will put in two days.

Governor Carr, in spite of retail merchants' requests that Nov. 23 be proclaimed, has named Nov. 30, and as a result it is expected that all city, state and government offices will be closed both days. The schools will be closed Nov. 23-24, remaining in session on Nov. 30. Denver retail stores will observe Nov. 23 only.

Cities and towns throughout the state are divided as to which day to

(*Continued on page 2*)

Product Shortage Worries London

LONDON, Nov. 7.—The executive committee of the Cinematograph Exhibitors Association, in a lengthy meeting today, discussed product shortage, and considered the possibilities of cooperative production and the abolition of the blind and advance booking clauses of the Films Act.

However, no specific action was taken, other than the naming of a committee to draw up a concrete plan to meet the situation and to supplement available product. It was agreed that finances are available, but at difficult terms.

Producers have informed Oliver Stanley, president of the Board of Trade, that about 40 sound stages are now available in England for production.

Deutsch Sees Theatre Business Near Normal

LONDON, Nov. 7.—Oscar Deutsch, head of the Odeon Circuit, at a company meeting today, declared that theatre business in England is almost normal. He indicated also that the deal, pending some time ago, for a merger of the Odeon and Gaumont British theatre interests, is off.

Purely Personal

KING VIDOR, M-G-M producer, will return to the Coast at the end of the week.

•

RALPH DE BURGOS of the 20th Century-Fox contract department has two paintings on exhibition at the Montross Gallery.

•

ROBERT TAYLOR and BARBARA STANWYCK left the Coast yesterday by plane for a vacation here.

•

FRED STORM, Samuel Goldwyn publicity representative, has arrived from the Coast.

•

LILY DAMITA arrived from the Coast yesterday on the TWA *Skychief*.

•

VERA ENGELS, European film player, arrives tomorrow on the *Rex*.

•

RUTH TERRY arrives from the Coast on Monday for a two-week visit.

•

GERALDINE FITZGERALD leaves tomorrow for the Warner studio.

•

DAVID GOULD, M-G-M manager in Puerto Rico, is in town.

•

LOUIS D. FROHLICH is in Scranton for a few days.

•

ZASU PITTS left last night via TWA for the Coast.

Louis Phillips Starts For Chicago, Coast

Louis Phillips, Paramount home office attorney, left by train for Chicago and Los Angeles last night. He will confer with B. & K. attorneys in Chicago on developments in connection with the Government contempt action against the circuit and large distributors, and in Los Angeles will attend the Fox West Coast hearing scheduled for next Monday. He will be away about two weeks.

Texas Allied Picks Cole for 18th Year

DALLAS, Nov. 7.—The Texas Allied today reindorsed the Neely bill and voted to continue its past policies by re-electing Harry A. Cole president for the 18th consecutive year.

Other officers were elected as follows: Vice-presidents, Rubin Frels of Victoria, Henry Hall of Beeville, Lee Threet of Lufkin, Mrs. Martha McSpadden of Electra, and R. N. Smith of Mission; treasurer, A. W. Lilly of Greenville.

Serving as directors will be T. W. Lewis of Texarkana, Will Dorbandt of Athens, L. C. Tidball of Fort Worth, C. M. Cooper of Mart, Henry Sparks of Cooper, Mrs. Thomas Donnell of Stephenville, P. V. Williams of Munday, Homer Mulkey of Clarendon, Lonnie Legg of Denison and Roy Howell of Coleman.

Postpone Hays Meeting

The adjourned quarterly meeting of the M.P.P.D.A. board of directors, scheduled for today, has been postponed until tomorrow.

Thanksgiving Holiday Plans Vary in U. S.

(*Continued from page* 1)

celebrate, some picking one day and some another.

As a result of thousands of protests over his announced intention of dropping the Armistice Day holiday proclamation, Gov. Carr finally named it a holiday, thus giving theatre men three November holidays in many spots in the state.

Complicated in Ohio

CINCINNATI, Nov. 7.—Ohio will celebrate Thanksgiving Nov. 23. Bookings and openings are being scheduled accordingly. Kentucky, however, has refused to change the date, and will celebrate Nov. 30. This rather complicates the situation here, and exhibitors on both sides of the Ohio River are in a quandary.

Cincinnati theatres, particularly first runs, normally draw considerable patronage from nearby Kentucky areas. However, it is understood that no special programs are being arranged for Nov. 30, which will be "just another Thursday" for all concerned here.

Boston Observes Nov. 30

BOSTON, Nov. 7.—Nearly all Boston theatres will celebrate Thanksgiving on Nov. 30. Theatres plan to follow the state's lead in this and though no plans have yet been set as to special observance, all declare Nov. 30 will be the day.

Nov. 30 for Alabama

BIRMINGHAM, Nov. 7.—Theatres in Birmingham and Alabama will observe Nov. 30 as Thanksgiving as proclaimed by Governor Dixon and will ignore the earlier date. As now indicated the houses will present their regular screen bookings and there will be no extra stage attractions or other changes in the schedule. Business is unusually good in Birmingham and houses are playing to near capacity.

Providence Exhibitors Undecided

PROVIDENCE, Nov. 7.—Although downtown exhibitors have reached no decision on the matter and still refuse to commit themselves definitely, indications are that showmen will go along with Governor Vanderbilt's Thanksgiving Proclamation for Nov. 30, playing Nov. 23 straight. Feeling is that customers may resent being asked to pay holiday scales on both days. Although banks will be closed on Nov. 23, stores will remain open.

Dual Observance in Texas

DALLAS, Nov. 7.—Both Nov. 23 and Nov. 30 will be observed as Thanksgiving Day in many Texas cities where exhibitors already have made plans for special programs, exploitation, advertising and lobby displays for use on both days.

Indiana Follows Nov. 23 Order

INDIANAPOLIS, Nov. 7.—Indiana will observe Nov. 23, following a proclamation by Governor Townsend. However, Jeffersonville, New Albany and possibly other Ohio River towns will try to observe Nov. 30 because of their proximity to Louisville.

Music Hall May Get More M-G-M Films

Radio City Music Hall is expected to get several M-G-M films during the run of "Gone With the Wind" at the Capitol. The Selznick picture goes into the Loew Broadway house late in December.

Meanwhile, two so-called outside pictures are lined up for the Music Hall. These are M-G-M's "Ninotchka," which follows "Mr. Smith Goes to Washington," and Warners' "We Are Not Alone," featuring Paul Muni.

"Ninotchka" is the first Garbo film to play the Music Hall and the fourth M-G-M picture. Others have been "Young Dr. Kildare," "Dramatic School" and "A Christmas Carol."

Film Editors Society Rejects Tie with IA

HOLLYWOOD, Nov. 7.—The Society of Motion Picture Film Editors, meeting last night, voted 354 to 29 against affiliation with the I.A.T.S.E., and appointed a negotiating committee to confer with the producers on a 10 per cent wage increase.

The S.M.P.F.E. had an agreement with the producers not to ask for an increase unless other crafts were granted a raise this year.

Wisconsin Session Pressure Renewed

MILWAUKEE, Nov. 7.—Likelihood of a special legislative session has been renewed as a result of a demand by the Wisconsin Education Association for the calling of such a session to provide "adequate revenue" for education and other governmental functions.

The resolution stated that Wisconsin was "facing a critical situation" because the legislature had failed to provide sufficient revenue to meet budget appropriations.

Delay Nashville Hearing

A hearing scheduled to be held in Federal court at Nashville today on defendants' motions for a bill of particulars from the Government in connection with its anti-trust action against the Tony Sudekum circuit and major distributors has been postponed to Nov. 25, due to the unavailability of a judge to hear arguments at this time.

Small Signs Three

HOLLYWOOD, Nov. 7.—Edward Small has added three to his production staff. They are Erle C. Kenton, who joins as an associate producer; Florence Ryerson, signed to write the screenplay of "The Life of Rudolph Valentino" and Don Cash, assigned as makeup director on "My Son, My Son!"

Paul Sadyker Dies

Paul Sadyker, 50, assistant to Ernest Wettstein, manager of Monogram's Paris office, died at his home in Paris on Sunday, according to word received at the Monogram home office yesterday. Sadyker had been with Monogram about two years.

Debate Buying Combine

CHICAGO, Nov. 7.—Establishment of a buying and booking combine and restoration of cash giveaways on some legal basis were considered at today's meeting of the Allied board of directors. No action was taken.

Britain May Let U.S. Take Out 50% Cash

(*Continued from page* 1)

proposed are liberal terms covering the transmittal to America of revenue derived from such pictures as may be produced under the new regulations.

In addition, if the impounded currency of the American companies, or any part of it, is invested in British Government securities, interest on such securities may be remitted to America.

Ambassador Kennedy is understood to be engaged in continued representations on behalf of the American companies, as a result of which further amplification or revision of the proposals is believed to be likely before final action is taken.

Meanwhile, the situation for the American companies has been made increasingly grave by the recent decline in sterling. The unfavorable exchange rate on the pound, translated into remittances to America, represents a loss to distributors of approximately 15 per cent of their British revenue, without any other factors being involved. Such a loss is at the rate of more than $7,000,000 annually to the eight principal American distributors on exchange alone.

Sears Is Presiding at Warner Meeting

(*Continued from page* 1)

ner, Carl Leserman, Joseph Bernhard, S. Charles Einfeld, Mort Blumenstock, Roy Haines and Ben Kalmenson.

District managers in for the meeting are: Ed Schnitzer, New York, eastern; Wolfe Cohen, Toronto, Canadian; Robert Smeltzer, Washington, central; Fred Jack, Dallas, southern; Cal Callaway, Los Angeles, western; Henry Herbel, Chicago, midwestern, and Rud Lohrenz, Prairie district head with headquarters in Kansas City.

4-A Plans Party

Associated Actors and Artistes of America, parent body of actor unions, is planning a masquerade party at the Waldorf-Astoria to be held some time in February.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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Studio Crafts Vote to Keep Wage Boosts

(*Continued from page* 1)

and to members of the talent guilds, namely writers, directors and actors."

William Bioff, chairman of the conference of A. F. of L. studio unions comprising all Federation unions except the Painters, today sent invitations to all Guilds and producers for a round-table conference. Bioff asked for their replies before next Tuesday's meeting of studio unions.

"The unions must stand prepared to shoulder their share in preventing a shutdown of any of the studios, but that responsibility must also be borne by high-salaried producers, writers and directors," Bioff said.

$16,000,000 a Year More

"The wage increase granted the I.A.T.S.E. costs the producers an extra $3,000,000 annually," he continued. "Other increases being sought as result of the I.A.T.S.E. victory would raise the total to $16,000,000 more.

"Before the industry attempts to save $16,000,000 by shaving down the little fellow who makes $25 or $30 a week, there should be a frank discussion and study of industry salaries and earnings generally.

"There are 246 contract employes at one studio whose last annual earnings totalled $7,800,000. Of this amount, 46 persons received $7,000,000.

"Perhaps the system of distributing the industry's reward is lopsided. Too few seem to be taking out too much, and too many seem to be getting too little."

Guilds to Act Next Week

Representatives of the Screen Actors, Directors and Writers Guilds on the Inter-Talent Guild Council will meet next week to determine their course of action in the face of producers' demands for salary cuts.

The talent guilds have served notice that they will resist to the utmost any effort to reduce talent salaries generally, and have pointed out that producers as yet have not furnished definite figures on losses in the foreign market.

Producers face additional wage increase demands by the Electricians, Teamsters, Musicians and Carpenters Internationals, all of whom are included in the studio basic agreement.

Other unions and Guilds of various craft workers are said to be preparing demands for higher wages in the face of the success which the I.A. had in obtaining its 10 per cent increase. However, they are refraining from making any definite move until they learn whether the I.A.T.S.E. will capitulate to the producers' appeal for voluntary surrender of the raise.

Painters' Meeting Monday

The Moving Picture Painters local 644 has set Monday night for a session, at which time the producers' request that negotiations for a 15 per cent pay hike be deferred until December will be discussed.

Another aspect of the Hollywood labor situation is the status of the Screen Publicists Guild which has an oral agreement on a contract with the producers. This contract, however, is yet unsigned.

The Guild's negotiating committee, headed by President William Edwards, will meet Thursday night to discuss the problem. Producers wish to revise the pact before signing yet, but the Publicists firmly maintain there is no need for further negotiations.

Theatre, Personnel Notes

Gibralter Circuit Changes

DENVER, Nov. 7.—Changes made in Charles R. Gilmour, president of Gibralter Enterprises, Inc., include: Buster Morris has been moved from the Teton, Powell, Wyo., to the Mesa, Douglas, Wyo., where he succeeds Harold Johnson, who goes to Glenwood Springs, Colo., to manage the newly-bought Orpheum and Colorado theatres; Everett Haxby goes from the managership of the Bluffs theatre, Scottsbluff, Neb., to the job of assistant to William Boston, manager of the Gibralter properties there; Harry Rodel, recent manager of the Crystal, Mitchell, Neb., gets the Bluffs managership, and Morris Rock is placed in charge of exploitation for the company theatres in Bridgeport, Morrell and Gering, all in Nebraska.

Three Companies Formed

ALBANY, Nov. 7.—Three corporations have been formed here for exhibition: Wallyn Theatre Corp., by Lawrence Zourek, Helen Strasser and Hilda Bloom, New York; Maxine Theatre Corp., Buffalo, by John A. Merrill, Edmiston Hagmeir and J. Edmund Kelly, and Hastings Enterprises, Inc., New York, by George Blake, Brooklyn, A. M. Lynch and Susanne Groves.

Gets G. N. Canada Post

TORONTO, Nov. 7.—Frank Goldhar, formerly with Columbia Pictures, has been appointed manager of the Montreal branch of Grand National Films, Ltd., by H. J. Allen, general manager, Toronto, replacing Harry Kaufman, resigned.

Loew's Assign Fallert

KANSAS CITY, Nov. 7.—George Fallert, formerly at St. Louis, has been made student assistant manager under John McManus of Loew's Midland here. He replaces Ernest Fox, who has gone to Loew's Penn at Pittsburgh.

Lease Bridgeport House

BRIDGEPORT, Conn., Nov. 7.—Loew's, Inc. have leased the 2,269-seat Lyric to the Bridgeport Amusement Co. for burlesque, Sunday vaudeville and pictures.

Texas House to Be Remodeled

TEAGUE, Texas, Nov. 7.—Griffith-Long Circuit, operators of the Star, managed by Floyd Faubian, will remodel the theatre. The Ritz is to be reopened soon.

Redecorated House Reopens

JENKS, Okla., Nov. 7.—The Jenks theatre, recently redecorated, has been opened under the management of Watson & Co.

Plan Niagara Falls House

TORONTO, Nov. 7.—B. Laxer & Co., Toronto contracting firm, has applied for a permit for the erection of a theatre at Niagara Falls, Ont.

Acquires Third Theatre

DENVER, Nov. 7.—N. B. Oliver has taken over the Ritzy at Mogollon, N. M., giving him three theatres in the state.

Floyd Rains has closed the Shoshoni at Ft. Washakie, Wyo.

Fox is getting competition in Trinidad, Colo., for the first time in years. Rocco De Paolo has taken over the East and N. S. Sawaya has bought the Strand.

Frisco Casino Sold

SAN FRANCISCO, Nov. 7.—In one of the largest realty transactions of the year the Casino Theatre, downtown house of 2,600 seats, was sold by a family group headed by G. M. "Bronco Billy" Anderson, of early-day film fame, to Peter H. Markowitz, representing local theatre interests. About $500,000 is involved.

Install RCA Equipment

The following theatres have closed for the installation of RCA Photophone sound equipment: Paramount theatres at Alexandria, La., and Monroe, La.; Van Dyke, Detroit; Windsor, Windsor, Conn.; Crescent, Cincinnati, and the Palace, Texarkana, Texas.

Willinger Transferred

OAKLAND, Cal., Nov. 7.—Leonard Willinger, assistant manager of United Artists Theatre in Berkeley, has been transferred to the Paramount here in a similar capacity. Jack Lucy, assistant at the Lanlon, Vallejo, goes to the United Artists, Berkeley.

Start New Shea Theatre

BUFFALO, Nov. 7. — Construction work on the newest unit of the Shea Theatre circuit here is under way. The new community theatre in Lackawanna will seat 1,000.

Hicks Gets Another House

C. W. Hicks, operator of an independent circuit in Baltimore, has acquired the Alpha, Catonsville, Md.

Nick's Second Trial Is Delayed By Judge

ST. LOUIS, Nov. 7.—The second trial of John P. Nick, deposed "boss" of the M. P. Operators Union, on an extortion charge was halted today when Judge Aronsen, Circuit Attorney Franklin Miller and an aide went into a lengthy conference which, while unexplained, was believed to be concerned with the qualifications of a juror whose identity was not revealed.

Defense attorneys did not attend the conference, which had not been concluded at a late hour today. It was recalled that a similar conference, but attended by defense attorneys, was held last month before a mistrial was declared in Nick's first trial because one of the jurors had discussed the case with a state witness.

Meanwhile, the defense in its opening statement to the jury said it intended to show that the $10,000 which it is alleged Nick extorted from theatre owners in order to forestall a wage increase for operators in 1936, had been paid by State Representative Edward ("Putty Nose") Brady, but it had not been turned over to Nick. Brady had been jointly indicted with Nick.

32 New Films Now in Work In Hollywood

HOLLYWOOD, Nov. 7. — Thirty-two pictures were before the cameras this week, as eight were started and seven were finished. Twenty-one are being prepared, and 84 are being edited. Started and finished the same week was "The Invisible Killer," Producers Pictures.

The following tabulation indicates the status of product at the studios this week.

COLUMBIA

Started—None.
In Work—"His Girl Friday," "Music in My Heart," untitled Starrett western.
Finished—"Cop from Hell's Kitchen."

M-G-M

Started—"The Shop Around the Corner."
In Work—"Broadway Melody of 1940," "The Earl of Chicago," "Not Too Narrow, Not Too Deep."
Finished—None.

PARAMOUNT

Started—None.
In Work—"Road to Singapore," "The Biscuit Eater," "Buck Benny Rides Again," "Safari."
Finished—"Light of Western Stars."

REPUBLIC

Started—"Money to Burn," "South of the Border," "The Narrow Path."
In Work—None.
Finished—None.

RKO

Started—"The Marines Fly High."
In Work—"Vigil in the Night," "Swiss Family Robinson."
Finished—"Distant Fields."

20th-FOX

Started—None.
In Work—"The Blue Bird," "Little Old New York," "Grapes of Wrath," "He Married His Wife," "Charlie Chan in Panama."
Finished—None.

UA

Started—None.
In Work—"Two's Company" (Roach), "Rebecca" (Selznick), "The House Across the Bay" (Wanger).
Finished—None.

UNIVERSAL

Started—"My Little Chickadee," "Charlie McCarthy, Detective."
In Work—"The Invisible Man Returns."
Finished—"Destry Rides Again," "The Big Guy," "Framed."

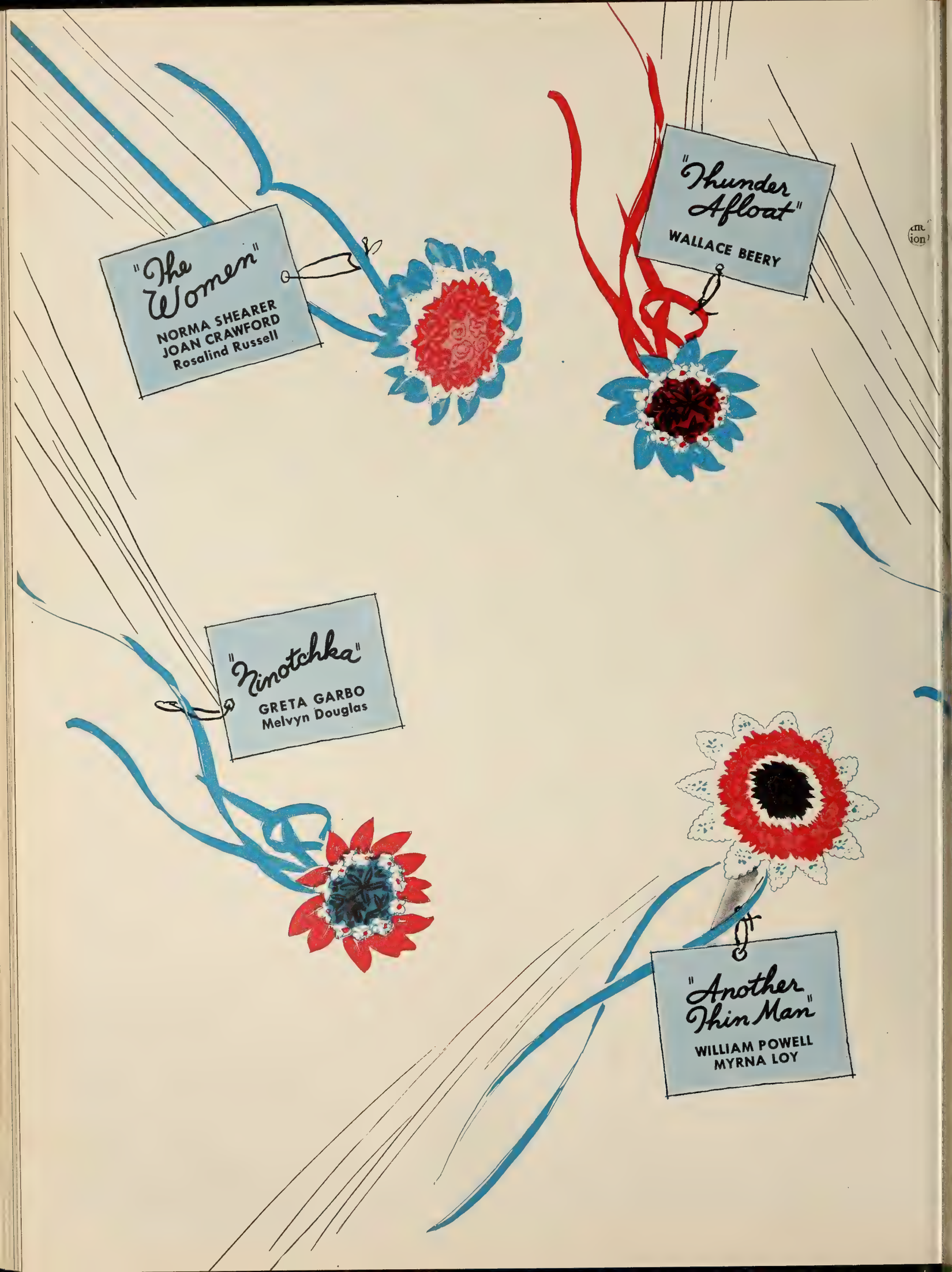
WARNERS

Started—None.
In Work—"The Fighting 69th," "Brother Rat and the Baby," "Virginia City," "The Life of Dr. Ehrlich."
Finished—None.

Columbia and M-G-M each finished one short subject.

Named ITPA Manager

MILWAUKEE, Nov. 7.—Directors of the I. T. P. A. of Wisconsin and Upper Michigan have named Harry Perlewitz business manager. Perlewitz formerly operated several local neighborhood houses as well as the Savoy Theatre in Watertown, Wis.


"The Women"
NORMA SHEARER
JOAN CRAWFORD
Rosalind Russell
"Thunder Afloat"
WALLACE BEERY
"Ninotchka"
GRETA GARBO
Melvyn Douglas
"Another Thin Man"
WILLIAM POWELL
MYRNA LOY


"Babes in Arms"
MICKEY ROONEY
JUDY GARLAND
"Balalaika"
NELSON EDDY
ILONA MASSEY
"Judge Hardy and Son"
LEWIS STONE
MICKEY ROONEY

'Mr. Smith' Is Frisco Smash With $15,500

SAN FRANCISCO, Nov. 7.—Despite the closing days of the fair, "Mr. Smith Goes to Washington" zoomed to a smash $15,500 at the Orpheum. "The Roaring Twenties" and "No Place to Go" drew $13,000 at the Fox.

Estimated takings for the week ending Oct. 31-Nov. 3:

"Rio" (Univ.)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: Vaudeville. Gross: $11,000. (Average, $15,000)
"Mr. Smith Goes to Washington" (Col.)
"Five Little Peppers and How They Grew" (Col.)
ORPHEUM—(2,440) (15c-35c-40c-55c) 7 days. Gross: $15,500. (Average, $8,000)
"The Roaring Twenties" (W. B.)
"No Place to Go" (W. B.)
FOX—(5,000) (15c-30c-35c-40c) 7 days. Gross: $13,000. (Average, $16,000)
"Disputed Passage" (Para.)
"The Escape" (20th-Fox)
PARAMOUNT—(2,740) (15c-30c-35c-40c) 7 days. Gross: $9,500. (Average, $11,500)
"Intermezzo" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days. Gross: $8,500. (Average, $8,000)
"At the Circus" M-G-M)
"Fast and Furious" (M-G-M)
ST. FRANCIS—(1,400) (15c-30c-35c-40c) 7 days, 2nd week. Gross: $5,200. (Average, $6,000)
"Babes in Arms" (M-G-M)
"Television Spy" (Para.)
WARFIELD—(2,680) (15c-30c-35c-40c) 7 days, 2nd week. Gross: $11,500. (Average, $12,000)
"The Betrayal" (World)
"The City" (World)
CLAY—(400) (15c-35c-40c) 7 days. Gross: $700. (Average, $1,000)
"Lucrezia Borgia" (Gallic)
LARKIN—(390) (15c-35c-40c) 7 days, 2nd week. Gross: $1,050. (Average, $1,000)

'Real Glory' Pulls $5,200 in Montreal

MONTREAL, Nov. 7. — "The Real Glory" drew $5,200 at the Orpheum while "The Women" at Loew's registered $7,800 in the second week.

Estimated takings for the week ending Nov. 3:

"In Name Only" (RKO)
"Everything's on Ice" (RKO)
CAPITOL (2,547) (25c-40c-55c-65c) 7 days. Gross: $6,300. (Average, $8,000)
"The Women" (M-G-M)
LOEW'S — (2,800) (30c-40c-60c) 7 days. 2nd week. Gross: $7,800. (Average, $8,000)
"The Real Glory" (U.A.)
ORPHEUM—(919) (25c-35c-50c) 7 days. Gross: $5,200. (Average, $5,000)
"Jamaica Inn" (Para.)
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $8,300. (Average, $10,000).
"Rio" (Univ.)
"Hero for a Day" (Univ.)
PRINCESS — (2,272) (25c-35c-50c-65c) 7 days. Gross: $5,000. (Average, $6,000).

Cleveland Museum Has Screen Exhibit

CLEVELAND, Nov. 7. — Recognizing the motion picture as an art form, the Cleveland Museum of Art has opened a gallery on "The Making of a Contemporary Film," its first complete exhibition dealing wholly with the screen.

To be continued through Dec. 3, the exhibit is a compilation of sources and materials used in production of "The Adventures of Tom Sawyer." Among the several hundred items displayed are the original book edition, original script and scenario, and the like. The Tom Sawyer picture and a film, "How the Motion Pictures Move and Talk," will be given frequent public showings in conjunction with the exhibit.

New York Review

"Main Street Lawyer"

(Republic)

A solid dramatic story of a small town New England prosecutor and a well balanced cast make "Main Street Lawyer" good family entertainment. It is a tale of homely, lovable folk who live peaceful lives until the trial of a notorious racketeer is thrust upon them. The prosecutor, Edward Ellis, never prosecutes because he knows the people too well to send them to jail. Life is quiet and the fishing excellent.

When Ellis is called upon to convict Harold Huber, a gangster, the latter confronts him with a blackmail threat to expose Anita Louise, Ellis's charming daughter, as the child of a murderess. Ellis cast aside his lifelong adherence to professional ethics and permits Huber to go free. Subsequently, Huber murders Willard Robertson, the grasping owner of most of the town's industries, and Miss Louise is charged with the crime. Ellis successfully defends her after an exciting courtroom tilt in which he induces Huber to attempt another murder.

Most of the dramatic action takes place in a succession of courtroom scenes. Robert Baldwin gives a convincing performance in the role of the young attorney in love with Miss Louise. Clem Bevans, Ellis's fishing crony, and Margaret Hamilton, the housekeeper, lend a touch of comedy.

The screenplay was written by Joseph Krumgold from an original by Harry Hamilton. Dudley Murphy directed and Robert North produced.

Running time, 72 minutes. "G."* EDWARD GREIF

**"G" denotes general classification.*

'Passage' $10,000 Providence Lead

PROVIDENCE, Nov. 7.—The Strand's dual, "Disputed Passage" and "Coast Guard," led with a handsome $10,000, while "Babes in Arms," in its second week at Loew's State, drew $13,000.

Estimated takings for the week ending Oct. 31-Nov. 2:

"Disputed Passage" (Para.)
"Coast Guard" (Col.)
STRAND — (2,100) (25c-35c-50c) 7 days. Gross: $10,000. Average, $6,000)
"Babes in Arms" (M-G-M)
"The Rookie Cop" (RKO)
LOEW'S STATE—(3,230) (25c-35c-50c) 7 days. 2nd week. Gross: $13,000. (Average, $11,000)
"$20,000 Men a Year" (20th-Fox)
"Pride of the Bluegrass" (W.B.)
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $4,000. (Average, $7,000)
"All Quiet on the Western Front" (Univ.)
"Way Down South" (RKO)
RKO-ALBEE — (2,239) (25c-35c-50c) 7 days. Gross: $5,500. (Average, $6,000)
"City in Darkness" (20th-Fox)
FAY'S—(1,800) (25c-35c-40c) 7 days. Stage show with Joe Termini & Co., Elmer Elcleve, the Keene Twins with Vic and La Mar, Three Toppers, and Danny and Edith. Gross: $4,600. (Average, $6,500)
"Submarine D-1" (W.B.)
"Smashing the Money Ring" (W.B.)
CARLTON—(1,526) (25c-35c-50c) 7 days. Gross: $1,800. (Average, $3,500)
"When Tomorrow Comes" (Univ.) (3 days)
"Ex-Champ" (RKO) (3 days)
'Beau Geste" (Para.) (4 days)
"Fifth Avenue Girl" (RKO) (4 days)
EMPIRE — (2,200) (20c-30c) 2nd run. Gross: $1,300. (Average, $1,800)

'Smith' Is Omaha Hit With Strong $6,100

OMAHA, Nov. 7.—"Mr. Smith Goes to Washington" pulled a strong $6,100 at the Brandeis. "Dancing Co-Ed" was good for $8,400 at the Orpheum.

Estimated takings for the week ending Nov. 1-2:

"Mr. Smith Goes to Washington" (Col.)
"Behind Prison Gates" (Col.)
BRANDEIS—(1,200) 25c-35c-40c) 7 days. Gross: $6,100. (Average $4,000)
"Thunder Afloat" (M-G-M)
"Quick Millions" (20th-Fox)
OMAHA—(2,200) (25c-40c) 7 days. Gross: $7,200. (Average, $6,000)
"Dancing Co-Ed" (M-G-M)
"Sherlock Holmes" (20th-Fox)
ORPHEUM — (3,000) (25c-40c) 7 days. Gross: $8,400. (Average $7,600)

Kansas City Lead To 'Smith,' $13,400

KANSAS CITY, Nov. 7.—"Mr. Smith Goes to Washington" and "Those High Grey Walls" gave the Midland a powerful $13,400 in a week that felt the sharp cold and the outside competition of "Taming of the Shrew" and the Kansas City Philharmonic.

Estimated takings for the week ended Oct. 31-Nov. 2:

"20,000 Men a Year" (20th-Fox)
ESQUIRE—(800) (25c-40c) 7 days. Gross: $2,300. (Average, $3,000)
"Mr. Smith Goes to Washington" (Col.)
"Those High Grey Walls" (Col.)
MIDLAND — (4,000) (25c-40c) 7 days. Gross: $13,400. (Average, $10,500)
"Disputed Passage" (Para.)
NEWMAN — (1,900) (25c-40c) 7 days. Gross: $5,700. (Average, $7,000)
"Nurse Edith Cavell (RKO)
"The Day the Bookies Wept (RKO)
ORPHEUM — (1,500) (25c-40c) 7 days. Gross: $4,000. (Average, $5,000)
"Hawaiian Nights" (Univ.)
TOWER—(2,200) (25c) 7 days. Stage: Keaton & Armfield, Perry Twins, Val Setz. Gross: $6,000. (Average $5,000)
"20,000 Men a Year (20th-Fox)
UPTOWN — (2,000) (25c-40c) 7 days. Gross: $2,800. (Average, $3,500)

'Babes' Is $12,000 New Haven Leader

NEW HAVEN, Nov. 7.—"Babes in Arms" and "Coast Guard" rocketed to $12,000 at the Loew-Poli. "Roaring Twenties" and "Everything's On Ice" took $6,600 in 9 days at the Roger Sherman.

Estimated takings for the week ending Nov. 2:

"Adventures of Sherlock Holmes" (20th-Fox)
"Here I Am a Stranger" (20th-Fox)
COLLEGE — (1,499) (25c-35c) 7 days. Gross: $2,400. (Average, $2,700)
"Babes in Arms" (M-G-M)
"Coast Guard" (Col.)
LOEW-POLI — (3,040) (35c-50c) 7 days. Gross: $12,000. (Average, $8,000)
"What a Life" (Para.)
"Death of a Champion" (Para.)
PARAMOUNT—(2,348) (35c-50c) 8 days. Gross: $3,800. (Average, $4,000)
"Roaring Twenties" (W.B.)
"Everything's On Ice" (RKO)
ROGER SHERMAN—(2,200) (35c-50c) 9 days. Gross: $6,600. (Average, $5,000)

'Babes' Clicks To Lead Hub With $42,000

BOSTON, Nov. 7.—"Babes in Arms" and "Those High Grey Walls" at Loew's Orpheum and State took $42,000 or $24,600 and $18,000 respectively. "Intermezzo" and "The Under-Pup" for 7 days, then "Intermezzo" and "Three Sons" for 3 days did $23,000 at the Keith Memorial.

Estimated takings for the week ending Nov. 1:

"When Tomorrow Comes" (Univ.) (2nd run) (2 days with vaude.)
"The Frog" (20th-Fox) (1st run) (2 days with vaude.)
"In Name Only" (RKO) (2nd run) (3 days)
"The Man They Could Not Hang" (Col.) (2nd run) (3 days)
RKO KEITH BOSTON—(3,200) (25c-30c-40c). Gross: $8,500. (Average, $7,000)
"Intermezzo" (U. A.) (10 days)
"The Under-pup" (Univ.) (7 days)
"Three Sons" (RKO) (3 days)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c). Gross: $23,000. (Average, $14,500)
"Hollywood Cavalcade" (20th-Fox)
"Nancy Drew and the Hidden Staircase" (W. B.)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $9,100. (Average, $7,500)
"Hollywood Cavalcade" (20th-Fox)
"Nancy Drew and the Hidden Staircase" (W. B.)
FENWAY—(1,382) (25c-35c-40c-55c) 7 days. Gross: $6,000. (Average, $4,500)
"Jamaica Inn" (Para.)
"Everything's on Ice" (RKO)
METROPOLITAN — (4,332) (25c-35c-40c-55c) 7 days. Gross: $19,500. (Average, $14,500)
"Babes in Arms" (M-G-M)
"Those High Grey Walls" (Col.)
LOEW'S ORPHEUM — (2,900) (25c-35c-40c-55c) 7 days. Gross: $24,600. (Average $14,500)
"Babes in Arms" (M-G-M)
"Those High Grey Walls" (Col.)
LOEW'S STATE — (3,000) (25c-35c-40c-55c) 7 days. Gross: $18,000. (Average, $11,000)
"Dust Be My Destiny" (W. B.)
"Here I Am a Stranger" (20th-Fox)
SCOLLAY — (2,500) (25c-35c-40c-50c) 7 days. Both 2nd run. Gross: $4,000. (Average, $4,000)

'Smith' Pittsburgh Smash with $15,000

PITTSBURGH, Nov. 7.—"Mr. Smith Goes to Washington" banged out $15,000 at the Harris Alvin. "They Shall Have Music" and Glenn Miller on the stage was good for $25,500 at the Stanley.

Estimated takings for the week ending Nov. 2:

"Mr. Smith Goes to Washington" (Col.)
ALVIN — (1,900) (25c-35c-50c) 7 days. Gross: $15,000. (Average, $8,000)
"20,000 Men a Year" (20th-Fox)
FULTON—(1,700) (25c-40c) 6 days. Gross: $2,900. (Average, 7 days, $5,000)
"The Roaring Twenties" (W.B.)
LOEW'S PENN— (3,600) (25c-35c-50c) 7 days. Gross: $12,000. (Average, $13,000)
"Mutiny in the Big House" (Mono.)
"Torpedoed" (Col.)
SENATOR — (2,000) (25c-40c) 7 days. Gross: $2,700. (Average, $3,600)
"They Shall Have Music" (U.A.)
STANLEY—(3,600) (25c-40c-60c) 7 days. Stage: Glenn Miller's orchestra, Ray Eberle, Tommy Trent. Gross: $25,500. (Average, $17,000)
"Babes in Arms" (M-G-M)
WARNER—(2,000) (25c-35c-50c) 7 days. 2nd week. Gross: $7,900. (Average, $5,000)

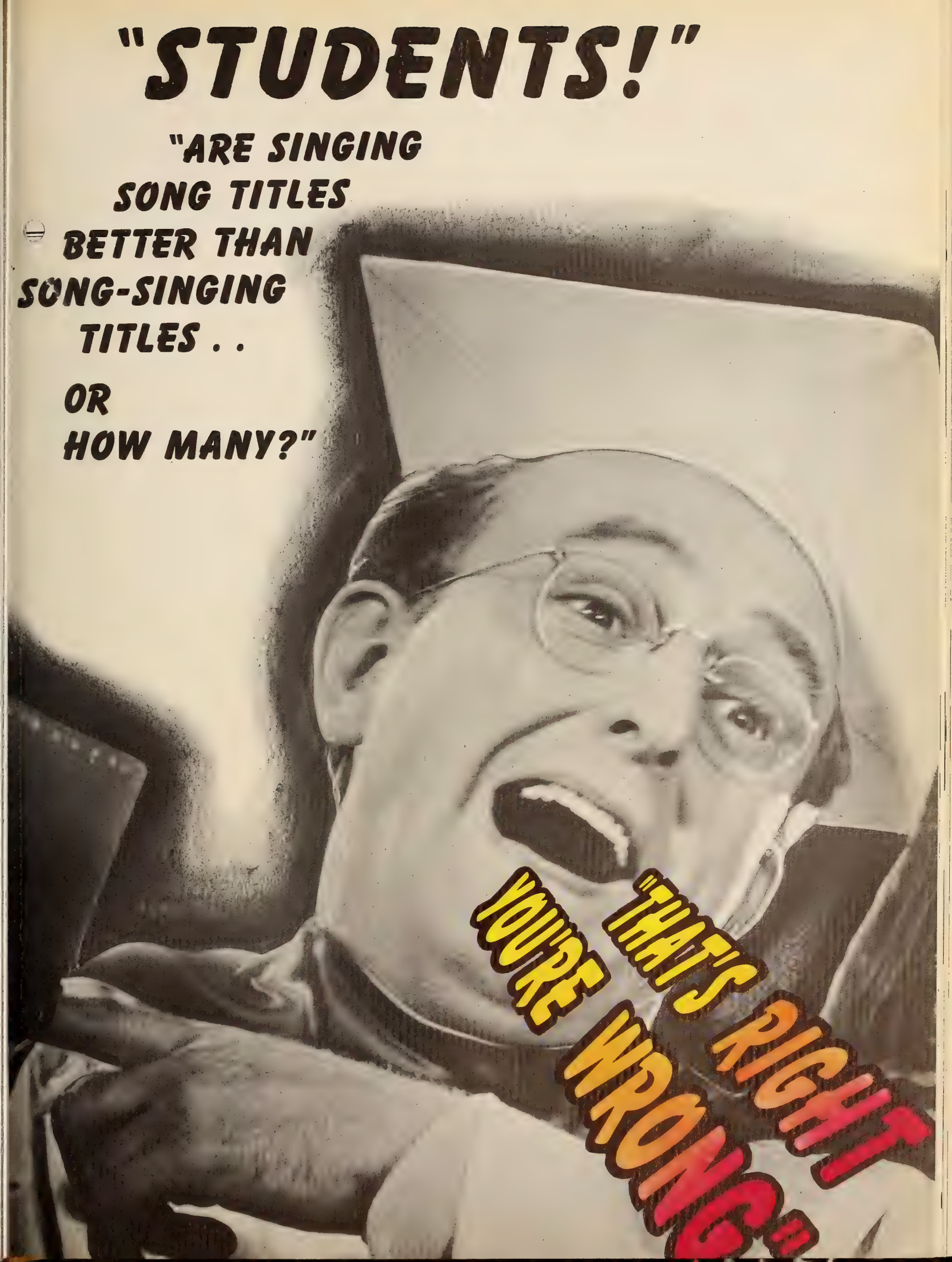
Plan New Yiddish Film

Ludwig Landy and Ira Greene have purchased the story, "Forsake Me Not," by Ossip Dymow, for production in the East as a Yiddish musical drama. Moishe Oysher will be starred. Max Nosseck will direct.

"STUDENTS!"

"ARE SINGING SONG TITLES BETTER THAN SONG-SINGING TITLES . .

OR HOW MANY?"



RKO RADIO SAYS
YOU'LL FIND OUT...WITH

KAY KYSER

THE OLD PROFESSOR HIMSELF...AND

ADOLPHE MENJOU

IN

"THAT'S RIGHT-YOU'RE WRONG"



WITH

MAY ROBSON • LUCILLE BALL
DENNIS O'KEEFE • EDWARD EVERETT HORTON
ROSCOE KARNS • MORONI OLSEN

AND

KAY KYSER'S BAND

FEATURING

GINNY SIMMS
HARRY BABBITT
SULLY MASON
ISH KABIBBLE

AND

"THE COLLEGE OF MUSICAL KNOWLEDGE"





Radio's hottest and screen's best in the biggest two-for-one show value that ever packed your theatre to the ropes on the street! A QUIZ-BANG BOMBSHELL OF RHYTHM, ROMANCE AND ROARS!...WHEE!



RKO RADIO PICTURES

PRODUCED AND DIRECTED BY
DAVID BUTLER
SCREEN PLAY BY
WILLIAM CONSELMAN

Radio Personals

William Kostka, NBC manager of the press department, and Ben Pratt, of the Blue network publicity department, leave for Chicago Friday to discuss promotion policy with William ___y, midwest publicity director. Before returning, they will go to Detroit to set a promotion program for "The Green Hornet," which starts on NBC-Blue Nov. 16 and will be heard Thursdays and Saturdays at 8 P. M.

Don Francisco, president of Lord & Thomas, will speak on "Business Needs Friends" before the Chicago Better Business Bureau Wednesday, Nov. 15. The speech will be carried by NBC-Blue at 10 P. M. . . . Richard Janaver, announcer, and Lillian V. Corsover, former assistant director of the WPA Federal Radio Theatre, have joined WQXR. . . .

Jimmie Willson, program director at WWL, New Orleans, and Mrs. Willson have adopted a baby daughter. . . . Jimmy Britt has been named director of sports reporting of the Yankee and Colonial networks. . . . Ray Whitley, RKO western star, will be heard in a 15-minute program beamed to South America, Nov. 15 at 9:15 P. M. Short wave stations, WRCA, WNBI and WPIT will carry the program. . . . Pegeen Fitzgerald will start a 15-minute fashion program for women over WOR, Tuesday, Nov. 21. Program will be aired Tuesdays through Fridays at 11 A. M.

CBC Will Develop Native Radio Talent

TORONTO, Nov. 7.—The development of native talent during the war is the policy which has just been announced by the Canadian Broadcasting Corp., reference being made to the point that, although all talent is to be engaged on merit, first consideration will be given to Canadians whether the latter are professionals of recognized standing or "others who show promise."

Audition centers have been established in five CBC production cities where regional boards, independent of the CBC staff, will hear radio newcomers, who are announced by number and not by name. The zone cities are Toronto, Winnipeg, Vancouver, Halifax and Montreal. The identity of the judges has not been revealed.

Bill to Restrict Newsreels Is Abandoned in England

By AUBREY FLANAGAN

LONDON, Oct. 25 (By Mail).—The Cinematograph News Films (Prevention of Abuses) Bill, sponsored by Sir Ernest Graham-Little in the pre-war period, has been abandoned. It was aimed to prohibit newsreel companies from restricting the rental of their films to commercial theatres.

Manchester houses are appealing to patrons via the screen for support of the authorities' "no lines on weekends" plan. The Chief Constable of Manchester, in his screen appeal, warns patrons that if they do not cooperate they may have to face more irksome restrictions.

Saturday film shows in Glasgow are to be curtailed in order to solve the box-office line-up problem. They will be limited to two and a half hours instead of the usual three hours, according to an agreement reached between the local C. E. A. and the Chief Constable.

Sussex exhibitors are to apply to their local taxing authorities for the refund of taxes during the week in which houses were compelled to close following the declaration of war. They are also going to ask the legal department of the C. E. A. to go into the matter of rebate with the lighting and power authorities.

On the other hand, Scottish exhibitors are taking the view that these losses are inevitable and have decided to do nothing about it, for they declare that it is a sacrifice which should be accepted in the national interest.

In answer to a one-day appeal throughout the Odeon circuit, patrons of that circuit contributed on a recent Saturday more than $12,000 for the Lord Mayor's British Red Cross Fund.

The Surrey County Council has decided to withdraw censorship and control of non-flam film. This decision has been taken as a result of Home Office advice. The only control exercised in future will deal with safety precautions.

The London Branch of the C. E. A. is to ask the Surrey and Essex County Councils to defer the operation of their price control rule until after the war.

New Labor Forum Planned in Akron

AKRON, Nov. 7.—A weekly labor relations forum to give Akron listeners an opportunity to hear topics which were banned when WJW cancelled the program of United Rubber Workers Union, C.I.O., is being planned by Edyth Fern Melrose, WJW manager. The program was banned because of the provisions of the National Association of Broadcasters' code. The plan is subject to the approval of A. F. of L. unions here. C.I.O. unions are planning to carry their protest to the F.C.C.

Infringement Suit Filed Against RCA

WILMINGTON, Del., Nov. 7.—Patent infringement suit has been filed against RCA Manufacturing Co., Inc., in U. S. District Court here involving charges of infringing of a patent on an "Electrical System" for home and auto radio receivers. The action was filed by Edward H. Loftin, of Boonton, N. J., trustee and administrator.

Fisher to Parley

Sterling Fisher, CBS director of education, will attend the Conference on Education and Inter-American Cultural Relations Thursday and Friday at the invitation of Secretary of State Hull. The conference will be held in Washington.

Newsreel Parade

Repeal of the Arms Embargo Act and events in consequence, and various war clips constitute the major news coverage in the new issues. Football games again gain prominence. Reels and their contents follow:

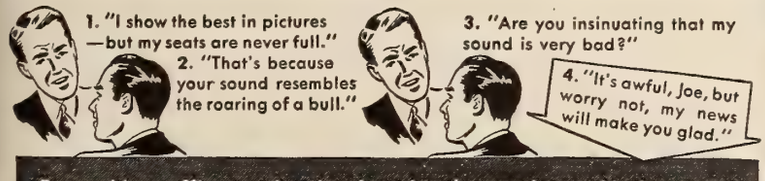
MOVIETONE NEWS, NO. 17—President signs neutrality law. Airplane factories speed production. England orders planes. *City of Flint* under new law. Crisis in Finn-Russian relations. King George and Queen Elizabeth inspect air defense. Irish regiment on West Front. Allied generals in conference. Fashions. Football: Notre Dame vs. Army. Tennessee vs. L. S. U., Southern California vs. Oregon State, Pennsylvania vs. Navy.

NEWS OF THE DAY, NO. 215—Embargo lifted. Trans-Atlantic shipping at standstill. Aviation industry booms. British Expeditionary Forces at front. British mine sweepers in North Sea. German prisoners on British soil. Viking rulers in conference. Football: Notre Dame vs. Army, Illinois vs. Michigan.

PARAMOUNT NEWS, NO. 20—Embargo repeal: Roosevelt signs bill; Congress adjourns; Pittman speaks. Western front: French reinforcements; new British divisions arrive; Windsor, Gort and Gamelin in conference. Football: Notre Dame vs. Army, Southern California vs. Oregon State, Pennsylvania vs. Navy, Northwestern vs. Minnesota.

RKO PATHE NEWS, NO. 32—Congress repeals arms embargo. Allies on western front test new airplanes. Bury British and German soldiers in Scotland. Refugees flee Poland. Notre Dame vs. West Point, Princeton vs. Harvard.

UNIVERSAL NEWSREEL, NO. 821—Arms embargo repealed. German prisoners in Scotland. Scandinavian Kings at meeting. Finns prepare for war. Royal Air Force at front. Notre Dame vs. Army, Tennessee vs. L. S. U.



For real box office results give America the good sound it demands!

INSTALL *New* RCA PHOTOPHONE MAGIC VOICE OF THE SCREEN

with Rotary Stabilizer plus SHOCK-PROOF DRIVE!

Better sound means better box office—and RCA tubes mean better sound

RCA Manufacturing Company, Inc.

Camden, N. J. • A Service of the Radio Corporation of America

"I'm Abner Weaver, Mayor of this here town, leader of this here community, an' Justice of the Peace of this here county."



"JEEPERS CREEPERS"

with

WEAVER BROTHERS and ELVIRY

ROY ROGERS • MARIS WRIXON

A Republic Picture



Quick Watson _*the* NOODLE!

What medium of advertising is the envy of every National Advertiser?

- **Elementary, my dear Watson! The NATIONAL SCREEN TRAILER on your screen, selling a 100% customer-audience at every performance.**

What medium of advertising makes action speak louder with words?

- **A simple deduction, Watson! The NATIONAL SCREEN TRAILER combining the highlights of your picture . . . with the emphasis of printed selling copy . . . into one streamlined, quick-action entertaining sales message . . . at one and the same time.**

Quick, Watson, the Noodle! Why is the NATIONAL SCREEN TRAILER the BEST SELLER IN THE BUSINESS?

- **Because, my dear Watson, it's cheap and effective . . . it actually sells seats at lower cost per person reached than any other advertising you can buy.**

Got a Special Problem?
Solve it with **NATIONAL SCREEN SERVICE** Special Announcement Trailers!

— NATIONAL *Screen* SERVICE —
PRIZE BABY OF THE INDUSTRY

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 92 NEW YORK, U. S. A., THURSDAY, NOVEMBER 9, 1939 TEN CENTS

Bioff Pushes Studio Wage Parley Plans

Invitations Go Out Today To Talent Guilds

HOLLYWOOD, Nov. 8.—Preparations went actively ahead today for the proposed conference of studio craft unions, the talent guilds and producers to thrash out the question of wage increases.

William Bioff, I.A.T.S.E. leader and chairman of the Conference of American Federation of Labor Unions, tomorrow is to transmit invitations to the wage round-table meeting to the Screen Writers, Actors and Directors Guilds.

The I.A.T.S.E. recently won a 10 per cent wage increase, and several weeks ago was requested by the producers to relinquish it because of the depleted foreign market. This increase immediately started a clamoring by other unions for a similar wage boost.

The producers, contending that it would be ruinous to the industry to pay higher wages, have scheduled a meeting Dec. 6 with union leaders. At that time it is hoped that the wage controversy will be settled.

Agnew Accepts Bid To Talk State Code

Neil F. Agnew, general sales manager of Paramount, has advised Max A. Cohen, president of New York Allied, that he accepts the organization's invitation to meet with a committee to negotiate a trade practice code for New York State.

Cohen sent invitations to distribution heads of all major companies pursuant to a resolution adopted at New York Allied's meeting in Syracuse last week. The suggested state code would be an alternative to the proposed national code to which the Department of Justice objects.

Cohen is awaiting replies from the other sales managers and says he will meet with them individually or collectively.

The New York Allied president yesterday issued a call to all industry factors to "work together and see if something constructive can be accomplished."

Cohen said he is willing to work with National Allied and other exhibitor groups to this end. "The industry is too big to harbor petty grievances," he declared.

Zanuck Hails Value Of Radio-Film Tieup In Benefiting Each

HOLLYWOOD, Nov. 8.—Darryl F. Zanuck today enthusiastically hailed a "wedlock" of radio and motion pictures as he announced a flood of congratulatory messages from air and film executives on the "Drums Along the Mohawk" dramatization on the Kate Smith hour Friday.

"These telegrams are concrete evidence of how mutually advantageous the screen and radio can be to each other," Zanuck said. "If the film industry and radio work harmoniously together, each in its respective field, outstanding results, beneficial to both mediums, are obtainable.

"Friday night the motion picture industry was able to reach a ready-made listening audience of millions to exploit a film. Henry Fonda and Claudette Colbert thus were able to introduce the dramatic theme of the picture to a great radio audience, adding tremendous entertainment value to both mediums."

CEA Apprehensive Of Remittance Status

LONDON, Nov. 8.—The remittance situation, involving proposed Governmental restrictions on the amount of revenue which American distributors will be allowed to withdraw from England, was characterized as one of the most serious which has ever overtaken the film business in this country, at a meeting today of the general council of the Cinematograph Exhibitors Association.

The session was devoted to a dis-

(*Continued on page 6*)

CBS Television Station on the Air

The CBS television station, W2XAB, went on the air for the first time officially yesterday and sent its testing pattern from 1:30 P. M. to 2. The pattern has been telecast several times in the past three weeks, but yesterday represented the first official performance.

CBS declined to reveal its future plans other than to say that it plans to repeat the performance daily for the next few days.

$905,000 Profit Gain Is Reported by CBS

A consolidated net operating profit of $3,511,224 for the first nine months of 1939, after all deductions, was reported yesterday by CBS, as compared with $2,606,157 for the same period last year.

A cash dividend of 45 cents was declared for Class A and Class B stock of $2.50 par value, payable on Dec. 8 to stockholders of record on Nov. 24.

John J. Burns, formerly Judge of the Superior Court of Massachusetts, general counsel to the S. E. C., and special counsel to the U. S. Maritime Commission, was elected to the board of directors.

Net income from sale of facilities, talent and wires, less time discounts and agency commissions, was $20,126,990 for the period, as compared with $17,082,915 last year.

The consolidated profit does not reflect operations of Columbia Recording Corp., acquisition of which was not completed until this year.

Short Wave Stations Sign First Commercial Shows

A commercial policy for NBC's short wave stations, WRCA and WNBI, was formally announced yesterday by Lenox R. Lohr, president. The basic rate will be $500 for seven 15-minute programs weekly, for broadcasts to Latin America. European rates have not yet been fixed. The rate includes both stations, and talent must be provided by the sponsor.

Newcasts, of which there are 11 daily, will not be available immediately for sponsorship, although there is a possibility that this policy may be changed in the future. These newscasts have proved to be the most popular programs aired by short wave because of the wartime censorship imposed by foreign broadcasting stations.

United Fruit Co. will be the first commercial sponsor. The contracts, which are due for signature today, have not set a definite starting date, but the programs are expected to begin late this month.

Sixteen hours of operating time are offered by NBC. Programs in four languages are beamed to Europe from 9 A. M. to 4 P. M., and in three languages to Latin America from 4 P. M. to 1 A. M.

Television All Set for Going Commercial

NBC and GE Working on Rebroadcasting Plans

By AL FINESTONE

Television is ready and anxious to try commercial telecasting, according to Alfred H. Morton, vice-president, in charge of television for the National Broadcasting Co.

All that NBC needs to go ahead with commercial telecasts is the permission of the Federal Communications Commission. To do this the F.C.C. must amend the present form of licenses.

Morton also disclosed that NBC is cooperating with General Electric Co. on a plan to feed television programs to the G. E. television station near Schenectady for re-broadcasting. Schenectady is about 130 miles from New York.

Big Impetus to Television

It is Morton's belief that commercial licenses would provide tremendous impetus to television.

Under commercial telecasting, of course, sponsored programs would be sought. They in turn would help to defray the development cost of the infant industry.

Morton does not think that television by theatres will be "sprung suddenly."

"Television extension will be normal and there will be nothing sudden about it," Morton said. "Many years of toil in laboratories preceded the present stage of scheduled programs. No development of this kind can come unexpectedly.

Large Screen Reception

"The engineers are now working to make large-screen television reception possible. When it comes, everyone will have sufficient advance knowledge to meet the change.

"NBC and RCA have long been working on ways and means of networking television programs, because networking is the chief motive behind NBC's enterprise," said Morton. "NBC desires to make this new serv-

(*Continued on page 6*)

Goldenson, Netter Plan Midwest Trip

Leonard Goldenson and Leon Netter, Paramount home office theatre officials, are scheduled to leave New York next week on a midwest and southern trip for conferences with the company's theater associates.

Pennsylvania Towns Vote Sunday Films

HARRISBURG, Nov. 8.—Twenty-four municipal sub-divisions of Pennsylvania held "blue law" referenda in yesterday's election, and returns available here late today showed that five boroughs in Tioga county approved Sunday movies. They are Blossburg, Elkland, Mansfield, Wellsboro and Westfield.

Other communities approving the Sunday movie issue included Freedom and Koppel boroughs, Beaver County; Mt. Penn and West Reading boroughs, Berks County; Bristol township, Bucks County; Coalport borough, Clearfield County, and Bigler township, Clearfield County. The populous borough of Forty-Fort defeated the proposal to permit Sunday picture shows, as did the Borough of New Philadelphia, Schuylkill County.

Proposals to permit Sunday baseball and other sports, between 1 and 7 P. M., were defeated in Palmyra borough, Lebanon County; and East Hanover township, Dauphin County.

100 B-K Executives In Chicago Meeting

CHICAGO, Nov. 8.—More than 100 managers and executives of the Balaban and Katz circuit started a two-day business conference today with John Balaban presiding. Product, theatre operations and promotional activities were discussed. A beefsteak dinner was served tonight.



★

UNITED...

THE DISTINGUISHED WAY TO LOS ANGELES

Overnight to the coast. Luxurious Mainliner sleepers — the "Continental" leaving New York 5:45 pm, and the "Overland Flyer" leaving New York 10:45 pm. Finest meals aloft. Call travel agents, hotels, or

PHONE MU 2-7300 UNITED AIR LINES 58 East 42nd Street

◂ *Purely Personal* ▸

HOWARD DIETZ, J. ROBERT RUBIN, NEIL AGNEW, AL WILKIE, CHARLES CASANAVE, ROBERT ALLEN, BERT WHEELER, ARTHUR LOEW, DAVID LEWIS, LEONARD GOLDENSON, MORT SPRING, WILLIAM A. BRADY, MARTIN BECK and LEE SHUBERT at Sardi's for lunch yesterday.

•

OSCAR DOOB, JACK COHN, WILLIAM FITELSON, JACK GOETZ, ARTHUR LEE, HARRY THOMAS, JACK SKIRBALL and AL LEWIS at BOB GOLDSTEIN'S Tavern for lunch yesterday.

•

LEW SCHREIBER, 20th Century-Fox studio casting director, has returned to the Coast after home office conferences.

•

WILLIAM J. KUPPER, 20th Century-Fox western division sales manager, returned yesterday from a visit to several exchanges in his territory.

•

ROBERT TAYLOR and BARBARA STANWYCK arrived on the American Airlines *Mercury* yesterday from the Coast.

•

EARL HUDSON of United Detroit Theatres is in town on product deals and for conferences with Paramount officials.

•

ABE MONTAGUE, RUBE JACKTER, LOU WEINBERG and MAX COHEN lunching at Lindy's (50th St.) yesterday.

•

HUNTER PERRY, Paramount theatre associate in West Virginia, is in New York for home office conferences.

•

HERMAN FINKELSTEIN, Ascap attorney, arrives here tomorrow from Tacoma.

•

MAUREEN O'HARA returned to Hollywood yesterday following a personal appearance tour in the Northwest.

•

SIDNEY LANFIELD, 20th Century-Fox director, arrived yesterday for a vacation.

•

JOAN DAVIS, actress, returns to the Coast today.

•

JOHN D. HERTZ, JR., has returned from California.

•

JOHN MORONEY arrives today from Dallas.

•

BEN PIAZZA is in town.

Eastman Kodak Dividend

ROCHESTER, Nov. 8.—Eastman Kodak Company today declared a 1940 wage dividend for employees, approximately $2,444,000. The company also declared dividends of $1.50 each on the common and preferred stocks, both payable January 2 to stock of record Dec. 5.

Sues for SAG Vote

HOLLYWOOD, Nov. 8.—A suit to compel Screen Actors Guild to grant voting rights to Class B members was filed today in Superior Court here by Ed Heim, an extra.

Shorts Premiere Is Set for Seattle

Seattle, Nov. 8.—Preparations are being made for the world premiere of three M-G-M FitzPatrick Travel-talk shorts at the Fifth Avenue here. The reels are "Seattle, Gateway to the Pacific Northwest," "Natural Wonders of Washington State" and "Glimpses of Washington State." All are in color, and were filmed in this territory last summer.

All three will be shown on the same program, with personal appearances and talks by Gov. Clarence D. Martin, Mayor Arthur Langlie and other state and city leaders.

M'Carthy Returns From Studio Parley

Charles E. McCarthy, director of advertising, publicity and exploitation for 20th Century-Fox, returned via American Airlines yesterday from a week at the studio. With him was Louis Shanfield, art director.

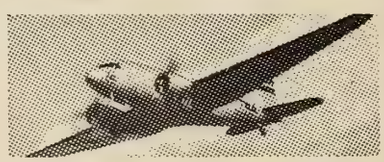
McCarthy and Shanfield conferred with studio executives on plans for campaigns on forthcoming releases, including "Daytime Wife," "Blue Bird" and "Swanee River."

Plagiarism Suit

A $100,000 plagiarism suit against Twentieth Century-Fox Film Corp. was instituted yesterday by Lola Harris. The suit charges the film, "Second Fiddle," infringes upon the play, "Winning Ways," written by the plaintiff and Jack Filman.

FLY TO THE GOLDEN GATE!

VIA GRAND CANYON BOULDER DAM!



Less than a Day—By TWA!

Double your fun—when you travel to San Francisco or Hollywood! Fly TWA, and see Grand Canyon and Boulder Dam —2 scenic thrills you mustn't miss!

Only TWA offers you such a trip! Latest departure from New York—allows full evening at home.

LOS ANGELES or SAN FRANCISCO —*Overnight* via Skysleeper! Board TWA's "Sky Chief" 5:30 p.m.—arrive Los Angeles early next morning . . . in San Francisco at 11:53 a.m. Fare only $149.95.

10% Discount on Round Trips!

Phone Travel Agent or MU 6-1640

Transcontinental & Western Air, Inc., 70 East 42nd St.— Air Desk, Pennsylvania Sta.

TWA

IT PAYS TO FLY

The Airline Run by Flyers

SHORTEST, FASTEST COAST-TO-COAST

Official Canada Films Popular In U.S., Abroad

TORONTO, Nov. 8.—Distributors and exhibitors in the United States reported a total attendance of 20,000,000 persons for official films of Canada during the fiscal year ending March 31, according to the annual report of the Canadian Government Motion Picture Bureau, of which Frank C. Badgley is director.

Canadian Government films in circulation in the Dominion and other countries were seen by 40,000,000 people, according to statistics compiled by the bureau, which had 6,295 copies of films on release during the 12 months. The prints in circulation in the United States totalled 3,160, while Canada made use of 1,700 prints in theatres and otherwise.

$25,000 Saving Reported

The Canadian Bureau produced 50,000 feet of new negative during the year while 15,000 feet were obtained from outside sources. Including negatives and positive prints, the Bureau turned out more than 400,000 feet of film in standard size and 450,000 feet of 16 mm. sound and silent positives. The latter was used largely for non-theatrical distribution. The 16 mm. production was approximately 50,000 feet more than in the previous year.

The report estimates that a saving in excess of $25,000 in government expenditure for films was effected in the year through the use of the Bureau facilities by different government departments, both Federal and Provincial.

Films were distributed to upwards of 30 foreign countries with the British Isles taking 524 positive prints. Total expenditures of the Bureau for the 12 months were $85,024 while the revenue was $29,049.

Offers Newsreel Cup

A cup will be awarded annually to the newsreel company making the outstanding subject of the year in the opinion of an impartial committee. The first award will be made about Jan. 15, 1940. W. French Githens, president of Embassy Newsreel Theatres, will donate the cup.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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PAUL MUNI
in
"WE ARE NOT ALONE"
with
JANE BRYAN • Flora Robson
UNA O'CONNOR • RAYMOND SEVERN
Directed by EDMUND GOULDING • Screen
Play by James Hilton & Milton Krims • From
the Novel by James Hilton • Music by Max
Steiner • A Warner Bros.—FirstNat'l Picture

In the finest production he has brought to filmdom, **'WE ARE NOT ALONE'**, *by the author of 'Mr. Chips'. Immediately selected as the next attraction for* **RADIO CITY MUSIC HALL.** » » » *What a product story this tells for* **WARNER BROS.**



HOLLYWOOD TELEGRAM!

"Two sneak-previews confirm advance tip-off to the trade that M-G-M's 'ANOTHER THIN MAN' is terrific! Following sensational preview of 'BALALAIKA' the Film Colony is buzzing with talk. The big news here is: Watch Leo—M-G-M is on the march!"

HELLO MR. & MRS. THIN MAN!

And we've got a box-office B-A-B-Y! It's positively the gayest of the series that you've made famous! I'm telling the showmen of America to tell the folks of America that here's the show they've been waiting for, heart-warming, human, just honest-to-goodness audience entertainment to promote merrily for a long and prosperous run!"



Television All Set for Going Commercial

(*Continued from page* 1)

ice available to more communities and an increasing number of people.

"For some time past General Electric engineers have been receiving NBC programs at an experimental station located on Helderberg Mountain, near Schenectady.

"Further to improve the functioning of this link, G. E. is installing a relay station between Schenectady and New York. Reports of these technical results and observations are being discussed with NBC's television officials. G. E. television officials have been studying NBC's television activities in the Radio City plant.

"An informal arrangement recently concluded between NBC and G. E. provides for continued cooperation and experimentation in the development and advancement of this new industry."

NBC soon will start televising 16mm. films, for which RCA has developed a special projector. Morton believes that this partly will solve the problem of a fresh film supply, which has been limited by the refusal of the major companies to supply product. Also he believes 16mm. films will open new program fields.

No extension of television time is now in prospect for 1940. NBC will continue its present weekly schedule of between 11 and 13 hours spread over five days a week. It is planned to make programs more diversified and add new features. These will include instructional programs, such as piano playing, etching, and the like, and a "vox pop" interview type of program, with interviewer and interviewed on the screen.

Otherwise, next year's programs will be about the same as at present, with sports events, drama, variety shows and films. Film programs include two features a week plus one-reel "fillers."

CEA Apprehensive Of Remittance Status

(*Continued from page* 1)

cussion of the quota situation and the recent conversations between E. J. Hinge and W. R. Fuller, acting for the C. E. A., and Oliver Stanley, president of the Board of Trade, concerning the needs of English exhibitors.

It was indicated that the exhibitors are not apprehensive of any serious decline in major imports, but of the probable decline in the number of available minor pictures.

The C. E. A. will approach the Kinematograph Renters Society (distributors) in an effort to obtain cooperation in the limitation of film programs to a maximum of 150 minutes.

Spyros Skouras Back

Spyros Skouras, operating head of National Theatres, has returned from divisional meetings which took him to the Coast. Edward Zabel of the film buying department and John Healy, assistant to Skouras, also have returned.

ITOA Asks Mayor For Power Rate Cut

Members of the I.T.O.A., meeting at the Astor yesterday, heard the text of a letter sent to Mayor LaGuardia by David Weinstock, chairman of the light and power committee, requesting the Mayor's aid in obtaining lower electric rates in New York. Weinstock's letter pointed out that rates in neighboring cities are less than in New York.

The meeting was informed that a fifth arbitrator in the wage negotiations between the I.T.O.A. and Local 306, operators union, is expected to be named within a week. The organization is represented at present by Stanley Lawton and David Weinstock, while acting for the union are Joseph D. Basson, president, and Bert Popkin. The next meeting of the I.T.O.A. will be held Wednesday.

British Troops' Film Supply Hitting Snag

LONDON, Nov. 8.—A political hitch has developed in the relations of the Government-sponsored Association of Film Entertainment and the Army Films Council, resulting in the holding up of the supply of films for the British army as planned by the new body.

It is reported unofficially that the N.A.A.F.I. is challenging the authority of the council, headed by Sir Adrian Baillie. The latter group, with the backing of the British War Office and representing American and British major companies, has asked the War Office for an unequivocal statement as to which channel it desires used for film supplies. The council insists it can take no further action as matters now stand, but is willing to use whatever avenue of supply is authorized.

UA Asks Dismissal Of Folly Trust Suit

Notice of application to be heard on Nov. 17 to dismiss the anti-trust suit of Folley Amusement Holding Corp. or in the alternative for a bill of particulars and additional time to serve an answer was filed yesterday by United Artists Corp. in the U. S. District Court.

Suit which seeks treble damages totalling $750,000 against the eight majors, Monogram Distributing Corp., Republic Pictures Corp., and other defendants, claims that the plaintiff was compelled to close the doors of the Folley Theatre in Brooklyn because of lack of product.

Second Nick Mistrial

ST. LOUIS, Mo., Nov. 8.—A second mistrial was declared yesterday in the extortion case of John P. Nick, deposed head of the Motion Picture Operators' Union, by Circuit Judge Aronson, who said he learned that one of the jurors had concealed the fact he was acquainted with the defendant's family. The juror, Edward H. Davis, a florist, was sentenced to a week in jail for contempt of court. The trial was reset for Dec. 11.

Bans 'Beast of Berlin'

CHICAGO, Nov. 8.—"Hitler, Beast of Berlin" today was denied a permit by the local board of censors, who objected to its "strong flavor of propaganda."

Short Subject Reviews

"Colored America on Parade, No. 1"

(*Sack Amusement Enterprises*)

This is the first of a series of six one-reelers on topical events in the life of the American Negro. Included are films of colored Elks in convention, first judges of the race appointed in New York, and a New York colored National Guard regiment at maneuvers. The series should be popular in houses for colored people. Running time, 10 mins.

"Joe Louis—The Brown Bomber"

(*Sack Amusement Enterprises*)

Interesting shots of Joe Louis, heavyweight champion, at training camp and elsewhere, showing him in the ring, at various chores and in relaxation. Still photos of his various knockouts are included. This is the second of a series titled "Colored Champions of Sport." Fight fans will like this number. Running time, 10 mins.

Associates Honor Powell and Wife

An overflow crowd of 130 members and guests attended a luncheon meeting of the Motion Picture Associates yesterday at Dinty Moore's restaurant. Dick Powell and Joan Blondell were guests.

The gathering was entertained by a humorous speaker introduced by Jack Ellis, president, as "a Czechoslovakian exhibitor." He was later disclosed as William Stanley Sims, an entertainer.

There will be one other meeting of the Associates prior to the organization's dinner-dance at the Hotel Astor Nov. 25.

Four UA Executives Will Send Proxies

United Artists' partner-owners, other than Alexander Korda, are not expected in New York for the company's annual meeting of stockholders next Tuesday. The other owners, Mary Pickford, Charles Chaplin, Douglas Fairbanks and Samuel Goldwyn, will be represented by their alternates at the meeting. These include Edward C. Raftery, Charles Schwartz, Dennis F. O'Brien and James Roosevelt.

Korda will arrive from Europe today on the Atlantic *Clipper*. After attending the meeting next week, he will leave for Hollywood.

Reinhardt Making Television Debut

HOLLYWOOD, Nov. 8.—Max Reinhardt will make his television debut Thursday night on the Thomas S. Lee television station, W6XAO, directing a group of players in original drama. He also will be interviewed. On Nov. 18 he opens a series of dramatic telecasts which he will direct on Saturday nights.

'Eternally' Is Seattle Lead With $6,300

SEATTLE, Nov. 8.—With holdovers plentiful, grosses were slightly off here. "Eternally Yours" and "The Under-Pup" at the Paramount scored $6,300. "Tropic Fury" and a stage show took $5,400 at the Palomar. The weather was mild.

Estimated takings for the week ending Nov. 3:

"Hollywood Cavalcade" (20th-Fox)
"Death of a Champion" (Para.)
BLUE MOUSE—(950) (25c-40c-55c) 7 days, 2nd week. Gross: $3,000. (Average, $4,000)

"Babes in Arms" (M-G-M)
"Television Spy" (Para.)
FIFTH AVENUE—(2,500) (25c-40c-55c) 7 days, 2nd week. Gross: $6,800. (Average, $7,000)

"The Real Glory" (U. A.)
LIBERTY—(1,800) (25c-40c-55c) 7 days, 2nd week. Gross: $4,400. (Average, $5,000)

"The Women" (M-G-M)
MUSIC BOX—(950) (25c-40c-55c) 7 days, 5th week. Gross: $2,800. (Average, $4,000)

"A Day at the Circus" (M-G-M)
"Island of Lost Men" (Para.)
ORPHEUM — (2,450) (25c-40c) 7 days. Gross: $6,100. (Average, $6,000)

"Tropic Fury" (Univ.)
PALOMAR—(1,500) (25c-40c-55c) 7 days. Jimmy Grier & Band on stage. Gross: $5,400. (Average, $5,000)

"Eternally Yours" (20th-Fox)
"The Under-Pup" (Univ.)
PARAMOUNT—(3,050) (25c-40c) 7 days. Gross: $6,300. (Average, $6,000)

"On Your Toes" (W. B.)
ROOSEVELT—(750) (25c-40c) 7 days, 2nd week. Gross: $1,900. (Average, $3,500)

Producers Delay Drama Pact Vote

Action by legitimate stage producers on the modification of the Dramatists Guild pact was delayed yesterday because of the lack of a quorum at a League of New York Theatres meeting. Another meeting will be held next week, when formal approval is expected.

The League will meet today with Actors Equity to settle the fate of the ticket code for this season. The code will expire Wednesday and it is understood that Equity will refuse further extensions.

Warners' Parley On Short Subjects

Norman H. Moray, short subject sales manager for Warner Bros., is in Hollywood conferring with Jack L. Warner, Hal B. Wallis, Bryan Foy and Gordon Hollingshead on the company's program for 1940-41.

Plans for increasing the Warner lineup of historical featurets from six to eight pictures for the new season will be discussed at the huddles. Takeup of the entire 1940-41 short subject program will also be considered at the sessions, which will occupy the greater part of a week.

Debate Television Wages

Committees from Actors Equity, Screen Actors Guild, and American Federation of Radio Artists met yesterday to formulate plans for negotiations with television officials about wage scales. The committees meet again next week. The question of jurisdiction was not considered, the meeting being devoted principally to wage scales.

Permits for 2 New Stations Asked of FCC

WASHINGTON, Nov. 8.—The Federal Communications Commission has been asked to issue construction permits to the Community Broadcasting Corp. for a new 1,310-kilocycle, 250-watt station at Middletown, N. Y., and the West Virginia Newspaper Publishing Co. for a 1,200-kilocycle, 250-watt station at Morgantown, W. Va.

Applications also were received from WJAG, Norfolk, Neb., for change of frequency from 1,060 to 770 kilocycles; WTOL, Toledo, O., for increase of power from 100 to 250 watts; WTNJ, Trenton, N. J., for increase of day power from 500 to 1,000 watts, and WDAH, El Paso, Tex.; KTSM, El Paso, Tex., and KTRI, Sioux City, Ia., for increase of night power from 100 to 250 watts.

Applications were received from WNLC, New London, Conn., for increase of power from 100 to 250 watts; WMFJ, Daytona Beach, Fla., for an increase from 100 to 250 watts; WQAM, Miami, for an increase from 1,000 to 5,000 watts, and KWOC, Popular Bluff, Mo., for an increase from 100 to 250 watts.

The commission tentatively has assigned for hearing on Dec. 4 the application of WROL, Knoxville, Tenn., for change of frequency from 1,310 to 620 kilocycles and increase of power from 100 watts night, 250 watts day, to 500 watts night, 1,000 watts day.

The commission tentatively has set Jan. 8 as the date for hearing on the applications of the Lakeland Broadcasting Co. for a new 680-kilocycle, 250-watt daytime station at Willmar, Minn., and KFIO, Spokane, for change of frequency from 1,120 to 950 kilocycles, extension of time from day to unlimited and increase of power from 100 to 1,000 watts.

Music Hall Opens 'Ninotchka' Today

"Ninotchka" bows in at the Music Hall and "Dancing Co-ed" goes into the Capitol today. "Goodbye, Mr. Chips" will leave the Astor Sunday after 26 weeks with "The Mill on the Floss" due there Tuesday. "Chips" drew an estimated $5,500 for its 25th week.

Aided by an excellent weekend and the Election Day holiday, holdover films did a healthy business along Broadway this past week. At the Music Hall, "Mr. Smith Goes to Washington" brought an estimated $90,000. Third week of "Babes in Arms" grossed an estimated $28,000 at the Capitol. "Jamaica Inn" ended a four-week run at the Rivoli with an estimated $12,000 for the fourth stanza. "First Love" opened yesterday. Second week of "Disputed Passage" at the Paramount drew an estimated $39,000.

Closes Monogram Deal

Rafael Arzoz, co-owner of Victoria Films, will return tomorrow to Mexico City after closing a deal with Monogram here to distribute 21 features in Mexico. Arzoz plans a color film in Spanish, "La Gatenilla," starring Los Chavalillos, Spanish dancer, to be made in Mexico City.

Warner Managers Return to Districts

Concluding their mid-season sales sessions with G. L. Sears, Warner Bros.' general sales manager, at the home office, Warners' district managers leave today for their individual territories to hold local meetings with their branch and sales personnel.

Returning are Fred Jack, Southern District manager; Henry Herbel, Midwest manager; Rud Lohrenz, Prairie manager; Cal Callaway, Western manager; Wolfe Cohen, Canadian manager; Robert Smeltzner, Central manager and Ed Schnitzer, New York.

The men will hold huddles on the company's merchandising plans for the Fall and Winter releases as well as details on the forthcoming Sears Drive.

Home office executives who attended the meetings at the home office were Major Albert Warner, G. L. Sears, Joseph Bernhard, Charles Einfeld, who came East especially for these conclaves, Carl Leserman, Mort Blumenstock, Roy Haines and Ben Kalmenson.

Connecticut MPTO Selects Lockwood

NEW HAVEN, Nov. 8.—Arthur H. Lockwood has been elected president of the Connecticut M. P. T. O. The organization had been inactive for some time. Vice-presidents are Irving C. Jacocks, Jr., and Adolph G. Johnson; treasurer is George Wilkinson; secretary, A. E. Robbins, and executive secretary, Herman Levy.

Directors include Arthur Lockwood, B. E. Hoffman, Hy Fine, Harry F. Shaw, Lou Anger, Harold Eskin, William F. Hoyt, A. E. Robbins, Ralph Pasho, Joseph Quittner, Samuel Rosen and Max Tabackman. The by-laws of the organization will be revised by a committee including B. E. Hoffman and Adolph G. Johnson. The budget committee appointed includes Harry F. Shaw, B. E. Hoffman, Irving C. Jacocks, Jr., Max Tabackman and Samuel Rosen.

M-G-M Won't Stop British Production

M-G-M is not quitting English production, Arthur M. Loew, vice-president in charge of foreign activities, said yesterday.

The company's production plans remain in force and production will be resumed when it is possible to do so, Loew said. The policy of making high budget pictures in England with stars and directors from Hollywood also remains in effect, he added.

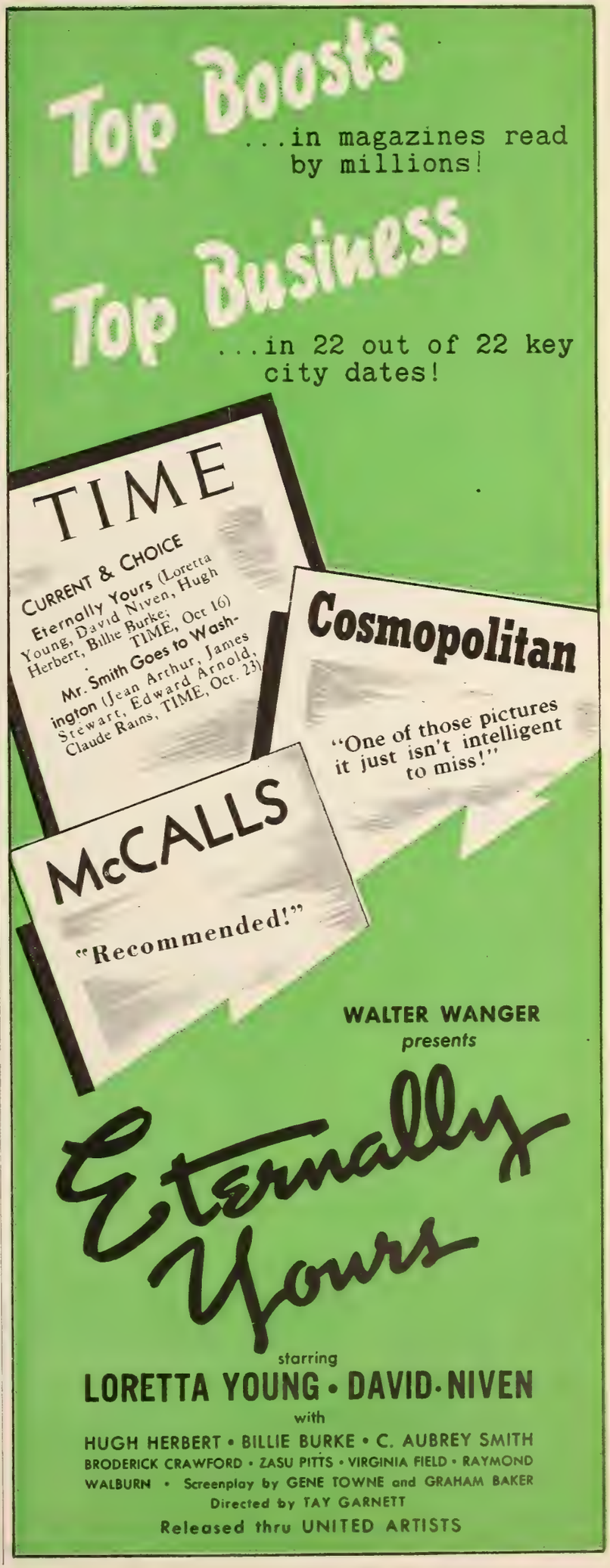
"M-G-M will produce in England whether or not the quota stays," Loew declared. "Our plans remain unchanged."

Schlager Sets Film

"Kingdom Come," original story by Adela Rogers St. John, will be filmed by the Producers' Corp. of America, according to Sig Schlager and George Greene, president and vice-president, respectively, of the company. Production will start about Jan. 1.

Postpone Loew Meeting

The meeting of the board of directors of Loew's, Inc., scheduled yesterday, has been indefinitely postponed.



"DRUMS ALONG THE MOHAWK" NOW TOPS "JESSE JAMES" AT ROXY, NEW YORK ...BEATS "RAINS CAME" RECORDS IN BOTH PHILADELPHIA AND BALTIMORE!



20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 93 NEW YORK, U.S.A., FRIDAY, NOVEMBER 10, 1939 TEN CENTS

Paramount's '39 Net Goes Up $1,000,000

$2,840,000 Earning Made For Nine Months

Paramount earnings for the nine months ended Sept. 30 are estimated by the company at $2,840,000, which includes the company's share of undistributed earnings of theatre subsidiaries, amounting to $1,355,000.

Earnings for the period compare with a net of $1,876,469 for the first nine months of 1938, which included $1,660,000 of undistributed earnings of theatre subsidiaries and $245,000 profit on purchase of Paramount debentures.

The earnings for the third quarter are estimated by the company at $710,000, including $377,000 of undistributed earnings of Paramount theatre companies. Earnings for the third quarter last year were $650,658, including $495,000 of undistributed theatre earnings and $233,000 profit on purchase of Paramount debentures.

The company's statement notes:

"The results of operations of all foreign subsidiary companies have been included at the current rates of exchange. In the case of the English and Canadian subsidiaries which have

(Continued on page 2)

Deane Appointed Assistant to Hicks

Albert Deane, foreign department advertising and publicity manager for Paramount for many years, was promoted yesterday to the post of a special assistant to John W. Hicks, Paramount vice-president and foreign manager.

George Fraser, a member of the Paramount home office publicity department for the past four years, has been named foreign publicity and advertising manager by Hicks, succeeding Deane.

Gell Transatlantic Distributors Head

Harry J. Gell, formerly in charge of Central Europe for 20th Century-Fox, has become president of Transatlantic Distributors, Inc. Eugen Sharin remains as treasurer and general manager. Other officers are Robert Renys, secretary, and Gustav Gavrin, vice-president in charge of the foreign department. The company plans the release of 10 French features this season.

'Chips' in 26 Weeks Has $275,000 Gross

When "Goodbye, Mr. Chips" ends its 26-week run at the Astor Sunday night, it will have rolled up an estimated gross of $275,000. The final week's figure probably will be $5,500.

During the run of "Chips" the Astor operated on a continuous run policy with a 55-cent top on weekdays and 65-cent on weekends and holidays. The Astor seats 1,145.

Omaha Theatres In Legal Squabble

OMAHA, Nov. 9.—Two theatres will be opened in the main business section here as part of a legal battle between R. D. Goldberg, local circuit owner, and Tri-States Theatres of Des Moines.

Tri-States tomorrow will open the Paramount on a stage-screen policy with a 55-cent top.

Goldberg will open the State Saturday with double features, an hour of shorts and newsreel and a canned food giveaway. Admission will be 25 cents for afternoons and 35 cents at night.

An anti-trust suit recently was filed by Goldberg and a previous suit by Tri-States asked the Federal Court to keep Goldberg from opening the State because of an alleged agreement to keep the house dark.

Sunday Film Foe Loses

RENSSELAER, N. Y., Nov. 9.—Mayor William Wright was defeated for re-election here in a close contest. A foe of Sunday films, Wright recently vetoed an ordinance to permit Sunday pictures, adopted after a long fight.

Italy's Film Supply Weakens; Official Hides Visit Reason

Italy has experienced no shortage of product to date, despite the withdrawal of American companies, according to Americo Aboaf, formerly managing director for Paramount in Italy, who arrived yesterday on the *Rex*.

Aboaf said that films of the four American companies which operate in Italy through franchised agents, including Universal, RKO, United Artists and Columbia, are still available. In addition there are Italian pictures and a few from England, Germany and France.

These, he said, have been ample to take care of theatres' needs, although he admitted it now appears there may be a product shortage before long.

Films of the four major companies which are being circulated in Italy were sent there prior to the withdrawal of American firms at the beginning of this year. No product, except a few films to adjust contractual obligations, has been consigned to Italy from the United States since that time.

Aboaf denied reports that he is here in connection with possible negotiations on behalf of the E.N.I.C., Italian film monopoly, whereby a basis may be established for the American companies' return to that market.

Refusing to disclose the nature of his visit, he said it was a business trip and that he would survey the situation with respect to the future of the film industry's position in Italy.

No predictions can be made about the possibility of resuming business with Italy, because of the recent

(Continued on page 2)

Strike Called, Then Delayed At Selznick

Walkout Off Until Wage Parley Wednesday

HOLLYWOOD, Nov. 9.—The first repercussion of the current controversy over wage increases in the film industry occurred today when the I.A.T.S.E. went on a strike at the Selznick International studio.

Late in the afternoon, following a conference between Selznick officials and William Bioff, I.A.T.S.E. leader, the strike was called off pending a meeting to be held next Wednesday.

At that time producers, I.A. officials and possibly representatives of the three talent Guilds will get together to discuss the problem of wage revisions.

Frank Stickling, I.A. international representative, issued the following statement after a meeting with Henry Ginsberg, vice-president and general manager of Selznick International, and Pat Casey, labor contact officer for the producers:

"At Wednesday's meeting, the entire problem of wage revisions in the industry will be threshed out in a round-table discussion. We have issued invitations to the Directors, Actors and Writers Guilds, but the problem will be worked out whether the Guilds choose to send representatives or not.

"Spokesmen for the producers say that drastic economies must be effected or the industry cannot survive. We propose to find out whether these economies are to begin with little fellows whose average annual income is $900 a year, or are to begin at the top

(Continued on page 8)

Ginsberg Resigns As Selznick Chief

HOLLYWOOD, Nov. 9.—Henry Ginsberg, vice-president and general manager of Selznick International, today resigned after serving for more than four years as one of the company's leading executives.

Both David O. Selznick, president, and Hay Whitney, board chairman, expressed regret over Ginsberg's resignation. It takes effect the end of the year.

Before joining Selznick, Ginsberg was vice-president and general manager of the Hal Roach Studios. Prior to coming to the Coast, Ginsberg was associated with distribution and production in addition to having served as general sales manager for several Eastern companies.

"We Are Not Alone"

[Warners]

The hallmark of expert craftsmanship is stamped on this deeply moving story of a man and his wife and a girl caught in the toils of fateful occurrences which build logically to a tragic, though exultant, end. Paul Muni has never done better acting than in his role of an English country physician who is bewildered by the perplexities of the world. He makes it a warm, understanding portrayal. His support is excellent.

The picture is peopled with real human beings, and there is a pervading emotional uplift which is rare in the theatre. It is first class screen fare, made to order for a great emotional experience.

Muni will gain new enthusiasts in this film. It is largely to his credit, and the direction of Edmund Goulding and the script by James Hilton and Milton Krims, that the picture penetrates the surface of things and emerges as a finely-cut psychological story of buffeted mortals. It is sharply away from the routine in essence and in treatment.

The mood is set early as Muni and Flora Robson bicker over domes-

(Continued on page 8)

Purely Personal

ALEXANDER KORDA was delayed in getting into New York yesterday when the *Atlantic Clipper,* on which he traveled from Europe, landed at Baltimore instead of Port Washington, L. I. Korda arrived here by train last night.

•

STANTON GRIFFIS, BARNEY BALABAN, AUSTIN KEOUGH, LEON NETTER, FRED SCHWARTZ, LEONARD GOLDENSON, CHARLES SONIN, MARCUS HEIMAN and AL LEWIS at Sardi's for lunch yesterday.

•

WILLIAM A. SCULLY, Universal vice-president and general sales manager, will return to New York tomorrow from a week's trip to Chicago, Milwaukee and Minneapolis.

•

DAVID BERNSTEIN, JOSEPH MOSKOWITZ, J. J. MILSTEIN, JACK GOETZ, IRVING BERLIN and JOSEPH PINCUS lunching at Lindy's (51st St.) yesterday.

•

RICHARD C. CRAVEN, recently appointed contact man by the American Humane Society, will leave Albany shortly to reside permanently in Hollywood.

•

ALBERT DE COURVILLE, British director, has returned from Los Angeles where he visited his family. He arrived recently from England.

•

EDMUND SOUHAMI, counsel and field representative for New York Allied, will attend a meeting of the Buffalo regional unit Monday.

•

NAT DYCHES, assistant to HARRY BRAND, 20th Century-Fox studio publicity director, and JOAN DAVIS returned to the Coast yesterday.

•

THOMAS JEFFERSON of the Paramount home office is in Providence assisting EDWARD L. REED on exploitation.

•

DICK POWELL and his wife, JOAN BLONDELL, will be guests of WALTER WINCHELL tonight on a tour of the night spots.

•

MRS. C. H. BROWN, who operates the Strand in Old Forge, N. Y., has recovered from an attack of grippe.

•

WILLIAM GADDONI, M-G-M booker in Albany, has returned to his desk after a two-week illness.

•

H. M. RICHEY of RKO has returned from Dallas where he attended the Texas Allied convention.

•

N. L. NATHANSON is in town from Toronto.

•

RUTH TERRY will arrive Monday from Hollywood.

•

VAUGHAN GLASER, Broadway actor, has arrived in Hollywood.

M-G-M Buys 'Maritza'

HOLLYWOOD, Nov. 9.—M-G-M has acquired the film rights to "Countess Maritza," operetta which ran for 321 performances.

Italy's Picture Supply Weak; Official Here

(Continued from page 1)

shakeup in the Italian Cabinet, Aboaf indicated. He said production in Italy would be a solution to the blocked currency problem and that the American companies could thus use the large cash deposits they cannot take out.

Aboaf was Paramount's chief in Italy for 15 years, holding the position until the company quit the country. He also handled business for Bulgaria, Greece and Turkey from Rome. For the past few months he has taken care of Universal's interests in Italy, but only in an unofficial capacity. He plans to remain here three or four weeks.

Joseph Souhami, formerly with Paramount in Rome, arrived with Aboaf.

Trailers for Holiday Previewed by N.S.S.

De luxe and junior trailers for Christmas and New Year's greetings were screened yesterday for the trade press by National Screen Service. The trailers are done in the traditional seasonal spirit.

The de luxe editions run approximately 150 feet, while the juniors, which are shorter versions of the same films, run approximately 80 feet. The Christmas trailer shows Santa Claus awakened by an alarm clock and rushing down to the theatre where he conveys the management's greetings to the audience. In the New Year's trailer, Father Time is seen shuffling off while a baby 1940 hails the blessings of living in a free country.

Fair Executive Will Wed Miss Arlidge

Roberta Arlidge, music research librarian at the Paramount home office, will be married tomorrow to Edward F. Roosevelt of Oyster Bay, L. I., who has been director of foreign participation for the N. Y. World's Fair.

Miss Arlidge will be tendered a luncheon at Sardi's today by her associates at Paramount, among them Aldyth Reichenbach, Irene Scott, Helen Strauss, Gladys Bernstein, Sally Walton, Lillian and Pauline Grossman, Pat Donahue, Helen O'Connor, Rebecca Shuman, Elinor Lindeberg, Sue Brust, Lucille Levy and Gertrude Rosenstein.

Monogram Makes Deal on 'Arizona'

W. Ray Johnston, Monogram president, yesterday closed a distribution deal on "The Gentleman from Arizona" produced by Golden West Productions. Release date is Dec. 5.

The picture, in color, will have an elaborate premiere at Phoenix, Ariz., about Nov. 22. Ted Richmond represented Golden West in the deal.

Atlanta Republic Meeting

H. J. Yates and James R. Grainger left Dallas last night for Atlanta for the last of a series of Republic sales meetings. They will return here over the weekend.

Mississippi Makes Ticket Tax Record

New Orleans, Nov. 9.—Collections of taxes on amusement admissions in Mississippi during October aggregated $49,448 against $44,260 during the same month last year, setting a new mark for any month since the levy was instituted about three years ago. The scaling rate is three cents on 25-cent admissions with a minimum of one cent on a 15-cent seat.

Schlager, Green To Back Musical

Producers Corp. of America, new film company, is negotiating to purchase a participating interest in "Quiet Please," musical comedy which Al Lewis plans to produce on Broadway in January. The company is also negotiating for the film rights.

Margot Grahame will be featured in the stage show, and a lead acting-singing role is scheduled for John Charles Thomas, who is under contract to Producers for eight pictures.

Sid Schlager and George Green, president and vice-president, respectively, of the company, are at the Savoy Plaza.

Gluckman to Award Sales Drive Prizes

Herman Gluckman, Republic's New York franchise holder, will give cash prizes to salesmen and bookers during two drives currently under way.

Morris Epstein, manager of the local exchange, said weekly prizes will be awarded in the dating drive which ends Jan. 27 to salesmen bringing in the greatest number of playdates on current product. Percentage prizes will be given to salesmen and bookers in a drive to obtain new dates and rebookings on 1935-'36 and 1936-'37 product.

Ramsaye in Radio Speech on Monday

David Lowe, whose "Soundtrack" program, heard Monday through Saturday at 12:15 P. M., over WNEW, celebrates its second anniversary Monday, will devote one daily broadcast to each of the 10 principal film producing companies, starting Tuesday. On Monday, Lowe will have as his guest Terry Ramsaye, editor of *Motion Picture Herald,* who will trace the history of the industry. The program runs for 15 minutes.

'Mohawk' Garners $67,500 at the Roxy

"Drums Along the Mohawk" rolled up an estimated $67,500 in its first week at the Roxy, where it is set for a three-week run. At the Strand "The Roaring Twenties" opens this morning. The second week of "On Dress Parade" brought an estimated $24,000. "Beware Spooks!" grossed an estimated $4,700 at the Globe.

Blaze Hits Film Plant

Explosions and flames yesterday destroyed the Peterson Chemical Co., Lodi, N. J., which reprocesses old moving picture film. The plant was filling government orders.

Paramount's '39 Net Goes Up $1,000,000

(Continued from page 1)

outstanding debt payable in local currencies in excess of the net current assets of such subsidiaries, the provision for the decline in dollar value of the net current assets of these companies has been offset against the amount of outstanding debt payable."

After deducting $300,268 of dividends accrued for the quarter on 144,672 shares of $100 par 6 per cent first preferred, and 555,071 shares of $10 par 6 per cent second preferred, the earnings for the period represent 17 cents per share on the 2,465,927 shares of common, compared with 14 cents per share for the third quarter last year.

The nine months earnings represent 79 cents per share on the common, compared with 40 cents per share for the corresponding nine months last year.

McCoy Wins $37,000 Verdict from Pizor

A jury verdict of $37,000, including interest, was awarded yesterday in favor of Tim McCoy, western star, against William M. Pizor, president of Imperial Pictures, Inc., after a trial before N. Y. Supreme Court Justice McGoldrick.

Pizor had been charged with breaching an alleged contract made on Feb. 4, 1936, in which he agreed to use McCoy for eight westerns at $4,000 for each. McCoy testified that none of the films was produced.

Hays Meeting Wednesday

Another meeting of the M.P.P.D.A. board of directors is scheduled for next Wednesday following the eighth session of the board since the convening of the quarterly meeting in September.

Mamoulian on Air

Rouben Mamoulian will be interviewed by Olga Andre tonight at 9:30 on her Hollywood program. WNBI and WRCA, N.B.C. short wave stations, will carry the program, which is beamed to Latin America.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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HISTORY REPEATED

PLUS-X, Super-XX, and Background-X have established themselves firmly as the favorite raw films of the industry. In doing so they have repeated the history of Eastman films of other days. And they have done it through the same means: unmatched photographic quality, completely trustworthy uniformity. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

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PLUS-X
for general studio use

SUPER-XX
for all difficult shots

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for backgrounds and general exterior work

'Babes' Pulls Smash $19,200 In Twin Cities

MINNEAPOLIS, Nov. 9.—"Babes in Arms" stepped out in front in Minneapolis, taking a handsome $11,800 at the State.

In St. Paul, "Babes" again was the winner, grossing $7,400 at the Paramount.

Estimated takings for the week ending Nov. 2:

Minneapolis:

"The Money Ring" (W. B.)
"Hawaiian Nights" (Univ.)
"Scandal Sheet" (Col.)
"Hero For A Day" (Univ.)
ASTER—(900) (15c-25c) 7 days, dual bills split week. Gross: $2,300. (Average, $1,500)
"Dust Be My Destiny" (W. B.)
CENTURY—(25c-40c) 7 days. Gross: $5,500. (Average, $4,000)
"When Tomorrow Comes"
"All Quiet on the Western Front"
ESQUIRE—(290) (25c-40c) "Tomorrow," 5 days; "Quiet," 2 days. Gross: $1,200. (Average, $700)
"Pack Up Your Troubles" (20th-Fox)
GOPHER—(990) (25c) 7 days. Gross: $3,200. (Average, $2,500)
"Jeepers Creepers" (Rep.)
MINNESOTA—(4,200) (20c-40c) 7 days, with stage show. Gross: $5,000. (Average, $6,000)
"Thunder Afloat" (M-G-M)
ORPHEUM — (2,900) (25c-40c) 7 days. Gross: $4,500. (Average, $4,400)
"Babes in Arms" (M-G-M)
STATE—(2,300) (25c-40c) 7 days. Gross: $11,800. (Average, $4,400)
"They Shall Have Music" (U. A.)
WORLD—(400) (25c-55c) 7 days, 3rd week. Gross: $1,700. (Average, $1,600)

St. Paul:

"Mr. Smith Goes to Washington" (Col.)
ORPHEUM — (2,000) (25c-40c) 7 days. Gross: $6,800. (Average, $3,200)
"Babes in Arms" (M-G-M)
PARAMOUNT—(2,500) (25c-40c) 8 days. Gross: $7,400. (Average, $4,400)
"Blackmail" (M-G-M)
RIVIERA—(1,000) (25c) 7 days. Gross: $2,400. (Average, $1,800)
"Stop, Look and Love" (20th-Fox)
"Shipyard Sally" (20th-Fox)
TOWER—(1,000) (25c) 7 days. Gross: $2,100. (Average, $1,600)
"Stolen Life" (Para.)
"Fight for Peace" (Mono.)
WORLD—(400) (25c-55c) "Life" last 4 days of 10-day run, "Peace," 3 days. Gross: $900. (Average, $700)

Chrysler Walkout Hits Detroit Takes

DETROIT, Nov. 9.—The strike of Chrysler workers, which has made idle 150,000 in factories furnishing Chrysler supplies, caused local theatre patronage to drop to below average levels.

Estimated takings for the week ending Nov. 2:

"Hollywood Cavalcade" (20th-Fox)
"The Escape" (20th-Fox)
ADAMS—(1,700) (15c-40c) 7 days. Gross: $4,000. (Average, $5,000)
"The Wizard of Oz" (M-G-M)
"Frontier Marshal" (20th-Fox)
FISHER—(2,800) (15c-40c) 7 days. Gross: $4,000. (Average, $4,500)
"Mr. Smith Goes to Washington" (Col.)
FOX—(5,000) (25c-55c) 7 days. Gross: $11,000. (Average, $12,000)
"Dust Be My Destiny" (W. B.)
"Dancing Co-Ed" (M-G-M)
MICHIGAN — (4,000) (15c-60c) 7 days. Gross: $9,000. (Average, $10,000)
"Disputed Passage" (Para.)
"The Old Maid" (W. B.)
PALMS—(3,000) (15c-50c) 7 days. Gross: $4,500. (Average, $5,000)
"Babes in Arms" (M-G-M)
UNITED ARTISTS—(2,100) (15c-55c) 7 days, 2nd week. Gross: $9,000. (Average, $10,000)

Warner Party Nov. 12

PITTSBURGH, Nov. 9.—Annual Warner club supper dance will be held Nov. 12 at the William Penn Hotel.

New York Review

"That They May Live"

(Mayer-Burstyn)

From under the skillful hand of Abel Gance, French producer, comes this searing document against war. It deals with the hard, brutal reality of the trenches near Verdun during the World War, and in the realm of fantasy, a veteran calls on his dead companions, and they rise in protest as the war dogs again stalk across Europe in 1938 and 1939.

Originally its title was "J'Accuse" ("I Accuse") and the producer-scenarist, Gance, through the brilliant performance of the veteran, Victor Francen, levels an accusing finger at those nations who failed to learn the lesson of the last war, waited for the sword to strike again and permitted the last conflict to set the stage for this new one.

This film is strong, unsweetened by the relieving touch of comedy or lightness. The stark horror of its trench scenes, as a "death patrol" is selected by lot, and a young member of that patrol dies in a strangling mudhole, is extremely powerful.

Francen promises his buddies that their sacrifice will not be in vain. Of the 12 who went out, 11 die, only Francen remains. He dedicates his life to a scientific endeavor to prevent war.

Twenty years later, when he sees war again as inevitable, he becomes insane. On the cemetery of Verdun, he calls on his "death patrol" companions to rise in their graves and challenge the world. The pictured mirage of the risen dead soldiers, impersonated largely by the famed organization of mutilated French veterans of the World War, strikes with an impact of heavy dramatic force. The people, seeing this mirage, rise in their anger and kill the veteran, and with him a girl who also had remembered, and the two join their comrades in arms.

Running time, 74 minutes. "A."* CHARLES S. AARONSON.

**"A" denotes adult classification.*

'Smith' Hits $4,500 In Oklahoma City

OKLAHOMA CITY, Nov. 9.—"Mr. Smith Goes to Washington," in the second week at the State, led here with $4,500. "The Old Maid" was good for $3,900 at the Midwest.

Estimated takings for the week ending Nov. 2:

"Babes in Arms" (M-G-M) (4 days)
"The Roaring Twenties" (W. B.) (3 days)
CRITERION—(1,500) (25c-35c-40c) 7 days, 2nd week. Gross: $3,600. (Average, $4,500)
"The Under-Pup" (Univ.)
"Desperate Trails" (Univ.)
LIBERTY—(1,200) (15c-20c-25c) 7 days. Gross: $2,200. (Average, $2,400)
"The Old Maid" (W. B.)
MIDWEST—(1,500) (25c-35c-40c) 8 days. Gross: $3,900. (Average, 7 days, $3,250)
"All Quiet on the Western Front" (Univ.) (3 days)
"Beau Geste" (Para.) (4 days)
PLAZA—(750) (25c-35c-40c) 7 days. Gross: $800. (Average, $1,100)
"Mr. Smith Goes to Washington" (Col.)
STATE—(1,100) (25c-35c-40c) 7 days, 2nd week. Gross: $4,500. (Average, $3,000)
"Dancing Co-Ed" (M-G-M)
TOWER — (1,000) (25c-35c-40c) 7 days. Gross: $1,700. (Average, $1,750)

Pact Negotiated By Exchange Union

Film Exchange Employes' Union, affiliated with the American Federation of Labor, is holding regional meetings to appoint delegates who will act as a negotiating committee to meet with the distributors on revisions of the basic pact. Pact revisions are due Nov. 30, when the present two-year term expires.

Try Earlier Opening

INDIANAPOLIS, Nov. 9.—About 10 of the neighborhoods houses, about one-fourth of the total here, are trying early opening hours from 5 to 5:30 P. M. Most open at 6 to 7 P. M. Claude Allison, manager of the Strand, says the early opening gives time for presentation of two full shows.

A Worthy Cause

Mt. Gilead, O., Nov. 9.—George Ebeck, manager of the Rex, is staging benefit shows to help raise funds for a public recreational center.

'Sons,' Miss Bennett Get $14,200, Buffalo

BUFFALO, Nov. 9.—"Mr. Smith Goes to Washington" brought one of the best second-week figures in history here, $10,100 at the Lafayette. The Twentieth Century drew $14,200 with "Three Sons" and Constance Bennett's personal appearance and stage show.

Estimated takings for the week ending Nov. 4:

"Hollywood Cavalcade" (20th-Fox)
BUFFALO—(3,000) (30c-35c-55c) 7 days. Gross: $10,300. (Average, $12,000)
"Babes in Arms" (M-G-M)
"Information Please" (RKO)
GREAT LAKES—(3,000) (30c-50c) 7 days, 2nd week. Gross: $8,300. (Average, $7,500)
"Submarine D-1" (W. B.)
"Death of a Champion" (Para.)
HIPPODROME—(2,500) (25c-40c) 7 days. Gross: $5,200. (Average, $6,800)
"Three Sons" (RKO)
TWENTIETH CENTURY—(3,500) (25c-40c) 7 days. Constance Bennett and stage show. Gross: $14,200. (Average, $5,200)
"Mr. Smith Goes to Washington" (Col.)
LAFAYETTE—(3,300) (25c-40c) 7 days, 2nd week. Gross: $10,100. (Average, $6,300)

Arena Group Functions

PITTSBURGH, Nov. 9.—The Arena Association, formed last Spring by 10 rinks in different cities, begins functioning for the public with production of "Ice Vanities," a 50-skater revue opening at the Duquesne Garden Nov. 13 for a week. The association, headed by John H. Harris of the Harris Amusement Co., was organized to obtain attractions for arenas.

'Twenties' Hits Good $17,800, Philadelphia

PHILADELPHIA, Nov. 9.—Jimmie Lunceford on the Earle stage, with "Kid Nightingale" as the screen feature, led here with $23,600. "The Roaring Twenties" earned $17,[illegible] at the Fox, while "The Real Glory" was good for $14,200 at the Aldine.

Estimated takings for the week ending Nov. 2:

"The Real Glory" (U. A.)
ALDINE—(1,700) (32c-42c-57c) 7 days. Gross: $14,200. (Average, $10,000)
"Intermezzo, a Love Story" (U. A.)
ARCADIA—(600) (32c-42c-57c) 7 days, 2nd run. Gross: $3,600. (Average, $2,600)
"Babes in Arms" (M-G-M)
BOYD—(2,400) (32c-42c-57c) 4 days, 4th week. Gross: $8,000. (Average, 7 days, $12,000)
"Kid Nightingale" (W. B.)
EARLE—(2,400) (32c-42c-57c-68c) 6 days (closed Sundays). Stage: Jimmie Lunceford and his orchestra, the Four Ink Spots. Gross: $23,600. (Average, $16,000)
"The Roaring Twenties" (W. B.)
FOX—(3,000) (32c-42c-57c) 7 days. Gross: $17,800. (Average, $13,000)
"On Your Toes" (W. B.)
KARLTON—(1,000) (32c-42c-57c) 7 days, 2nd run. Gross: $3,900. (Average, $3,000)
"Hollywood Cavalcade" (20th-Fox)
KEITH'S—(2,200) (32c-42c-57c) 5 days, 2nd week, 2nd run. Gross: $3,800. (Average, 7 days, $3,000)
"Marx Brothers at the Circus" (M-G-M)
STANLEY—(3,700) (32c-42c-57c) 8 days, 2nd week. Gross: $11,000. (Average, 7 days, $14,000)
"20,000 Men a Year" (Col.)
STANTON—(1,700) (26c-32c-42c) 7 days. Gross: $4,100. (Average, $4,500)

'Life,' Joe E. Brown Lead Indianapolis

INDIANAPOLIS, Nov. 9.—"What a Life" on the screen and a stage show headed by Joe E. Brown gave the Circle a smash $10,200. "Babes in Arms" and "Scandal Sheet" were strong in the second week with $8,300 at Loew's.

Estimated takings for the week ending Nov. 2-3:

"Rio" (Univ.)
"Call a Messenger" (Univ.)
APOLLO—(1,100) (25c-40c) 7 days. Gross: $2,600. (Average, $2,500)
"What a Life" (Para.)
CIRCLE—(2,800) (25c-40c) 7 days. Stage: Joe E. Brown and Vaudeville. Gross: $10,200. (Average, $6,000)
"The Roaring Twenties" (W. B.)
"Nancy Drew and the Hidden Staircase" (W. B.)
INDIANA—(3,200) (25c-40c) 7 days. Gross: $6,000. (Average, $5,000)
"Babes in Arms" (M-G-M)
"Scandal Sheet" (Col.)
LOEW'S—(2,800) (25c-40c) 7 days, 2nd week. Gross: $8,300. (Average, $7,000)
"Adventures of Sherlock Holmes" (20th-Fox)
LYRIC—(2,000) (25c-40c) 7 days. Stage: Will Osborne orchestra and show. Gross: $9,000. (Average, $8,000)

Lightstone Heads Regal Films Sales

TORONTO, Nov. 9.—Gordon Lightstone, Ontario branch manager of Regal Films, Ltd., has been promoted to general sales manager of the company at Toronto, succeeding the late W. F. Hayner.

In the promotions, Ted Gould of Winnipeg becomes manager of the branch at Toronto and is succeeded in the management of the Winnipeg office by Abe Levy. Regal Films is the Canadian distributor of M-G-M and Monogram features.

'Smith' Draws Fine $27,500, Los Angeles

LOS ANGELES, Nov. 9.—"Mr. Smith Goes to Washington," paired with "Two Bright Boys," in the second week drew a powerful $27,500 at two houses, $13,000 at the Hillstreet and $14,500 at the Pantages.

Estimated takings for the week ending Nov. 8:

"Eternally Yours" (U. A.)
"Pack Up Your Troubles" (20th-Fox)
CHINESE—(2,500) (30c-$1.00) 7 days. Gross: $9,750. (Average, $12,500)
"Hollywood Cavalcade" (20th-Fox)
4 STAR—(900) (40c-50c) 6 days, 5th week. Gross: $3,100. (Average, $3,250)
"Mr. Smith Goes to Washington" (Col.)
"Two Bright Boys" (Univ.)
HILLSTREET—(2,700) (30c-65c) 7 days, 2nd week. Gross: $13,000. (Average, $6,500)
"Eternally Yours" (U. A.)
"Pack Up Your Troubles" (20th-Fox)
LOEW'S STATE—(2,500) (30c-$1.00) 7 days. Gross: $11,000. (Average, $14,000)
"Mr. Smith Goes to Washington" (Col.)
"Two Bright Boys" (Univ.)
PANTAGES—(3,000) (30c-65c) 7 days, 2nd week. Gross: $14,500. (Average, $7,000)
"Jamaica Inn" (Para.)
PARAMOUNT—(3,595) (30c-65c) 7 days. Stage: F. & M. revue, Gus Arnheim and his orchestra. Gross: $15,500. (Average, $15,000)
"The Roaring Twenties" (W. B.)
"Pride of the Blue Grass" (W. B.)
WARNER BROS. (HOLLYWOOD)—(3,000) (30c-65c) 7 days. Gross: $12,000. (Average, $14,000)
"The Roaring Twenties" (W. B.)
"Pride of the Blue Grass" (W. B.)
WARNER BROS. (DOWNTOWN)—(3,400) (30c-65c) 7 days. Gross: $12,700. (Average, $12,000)

'Babes' Cleveland Lead with $6,000

CLEVELAND, Nov. 9.—"Babes in Arms" led for its second week here, grossing $6,000 at Loew's Stillman.

Estimated takings for the week ending Nov. 2:

"U-Boat 29" (Col.)
ALLEN—(3,000) (30c-35c-42c) 7 days. Gross: $3,500. (Average, $4,000)
"Mr. Smith Goes to Washington" (Col.)
WARNER'S HIPPODROME — (3,800) (30c-35c-42c) 7 days, 2nd week. Gross: $10,000. (Average, $11,000)
"Blackmail" (M-G-M)
RKO PALACE—(3,100) (30c-42c-55c) 7 days. Dead End Kids and stage show. Gross: $12,000. (Average, $14,000)
"At the Circus" (M-G-M)
LOEW'S STATE—(3,500) (30c-35c-42c) 7 days. Gross: $10,000. (Average, $11,000)
"Babes in Arms" (M-G-M)
LOEW'S STILLMAN—(1,900) (30c-35c-42c) 7 days, 2nd week. Gross: $6,000. (Average, $4,000)

Club Sets Schedule

PITTSBURGH, Nov. 9.—New series of parties scheduled by the local Variety Club has picture exchanges serving as hosts every Saturday night. United Artists takes over the club's quarters Nov. 11, Republic No. 18, Warners Nov. 25, and other distributors on succeeding Saturdays. Regular Monday night dinners, each presided over by a "King for the Day," have Harold Lund of Ross Federal in charge Nov. 13, Ascap representative William O'Brien Nov. 20, and Paramount manager David Kimelman Nov. 27.

Armstrong to Agency

HOLLYWOOD, Nov. 7.—Sam H. Armstrong, former partner in the Conlon-Armstrong agency, this week joined Columbia Management of California, Inc., in charge of the motion picture department.

Theatre, Personnel Notes

Reopen Tivoli in Frisco

SAN FRANCISCO, Nov. 9.—The old Tivoli, once a theatrical landmark in the west, has been reopened with combined stage show and first run picture policy, under the direction of Walker Theatre Corp., which plans to establish several similar houses on the Pacific Coast. Officials of the corporation are Nathan Smith, president; Nathan Hoffman, vice-president; M. P. Walker, secretary; W. R. McNair, general manager; John J. Cluxton, district theatre manager; Richard P. Stevens, house manager, and Jean Evol, producer.

Manages Ontario House

TORONTO, Nov. 9.—W. H. Smith, formerly manager of the Trent at Trenton, Ont., has been appointed manager of the reopened Tivoli at Kingston, Ont., by Famous Players Canadian Corp.

Plan Sacramento Theatre

SACRAMENTO, Nov. 9.—A new downtown theatre is planned here by the Blumenfeld Circuit, operating film houses throughout northern California.

Buy San Francisco Theatre

SAN FRANCISCO, Nov. 9.—Nasser Brothers, operators of six district theatres here, have purchased the Majestic from Morris Gallas.

Reopen After Epidemic Scare

DENVER, Nov. 9.—After being closed for a few weeks because of a mild infantile paralysis scare, theatres in Duranga, Mancos and Ignacio have been permitted to reopen.

Gertz Manages Denver's Plaza

DENVER, Nov. 9.—S. Gertz, resigned exploitation manager of the Civic theatres, has taken the Plaza theatre managership.

Book St. Louis Revue

ST. LOUIS, Nov. 9.—The Fox has booked a revue for its stage this winter.

Iowa House Nearly Ready

DES MOINES, Nov. 9.—Work on Central States' new Zephyr Theatre at Burlington, Ia., is expected to be ready for Thanksgiving opening.

Pioneer Building Theatre

ROCK RAPIDS, Ia., Nov. 9.—The Pioneer Theatre Corp. has bought the old post office building here and will remodel it into a modern theatre.

Installs Equipment, Seats

BIRMINGHAM, Ala., Nov. 9.—The Ritz has installed new sound equipment and 1,000 new seats.

Named Contract Clerk

DES MOINES, Nov. 9.—Bernice Rudston of Des Moines is a new contract clerk at the 20th-Fox exchange.

Famous Players Initiate Contests

TOTONTO, Nov. 9.—A radical departure in policy has been adopted by Famous Players Canadian Corp. in the inauguration of Foto-Nite contests as regular weekly features at various theatres of its circuit in Ontario cities.

Up to the present the circuit had avoided all giveaways, although an allied group, Associated Theatres, had used contests. The most that any Famous Players' house had done in this direction was the occasional distribution of fan photos or the award of comic magazines to juveniles.

Matreci Is Named St. Louis Club Head

ST. LOUIS, Nov. 9.—Tony Matreci, manager of the Uptown, has been named chief barker of the St. Louis Variety Club. The club also chose Tom Williamson and John Walsh, assistants; Herbert Washburn, secretary, and Harry Hynes, Sr., treasurer.

Plans are being formulated for a boxing program for the benefit of the club's "heart" or charitable fund, and a midnight performance on the Golden Rod showboat will be held Nov. 18.

Union Loses to Theatre

N. Y. State Labor Relations Board has dismissed charges of unfair labor practices brought by Empire State Operators Union against Aban Amusement Corp., operator of the Manhattan, 213 Manhattan Ave. The complaint grew out of the dismissal of two Empire projectionists, Irving Shapiro and Nat Bodenstein, and the hiring of three members of Operators Union, Local 306, in their place.

Newsreel Parade

There are no outstanding events in the new issues. Fashions, the horse show, a corn husking contest, football and coast artillery in action are clips included. The reels and their contents follow:

MOVIETONE NEWS, No. 18—Test coast defense. Corn husking contest in Kansas. Train dogs for Byrd expedition in New Hampshire. Fashions. British statesman denounces Hitler. Texas A. & M. vs. Arkansas and Chicago vs. Green Bay Packers football games.

NEWS OF THE DAY, No. 216—Leopold and Wilhelmina in peace conference. Artillery practice at Fort Monroe. California pension plan defeated. Corn huskers attract thousands. Queens tunnel holed through. Horse show at Madison Square Garden. Yale vs. Dartmouth football.

PARAMOUNT NEWS, No. 21—Shipping controversy. Foreign ships on west coast. Housing project completed. Goodwill flight to Rio de Janeiro. Coast defense demonstration. Pension plans in California and Ohio lose. Black Hawks vs. Red Wings hockey. Six-day bike race. Cornell vs. Columbia football.

RKO PATHE NEWS, No. 33—Wilhelmina and Leopold in peace plan. New York tunnel holed through. Indian rodeo in Arizona. Construct new dam in California. Horse show. Coast defense in action. Corn husking bee in Kansas.

UNIVERSAL NEWSREEL, No. 822—Army coast defense demonstration. New airplane tested. "Ham and eggs" lose in California vote. Roosevelt votes at Hyde Park. Queens tunnel holed through. Rally for Batista in Cuba. Home made auto tested. Annual horse show. Corn husking contest. Yale vs. Dartmouth football.

Form Tower Pictures

ALBANY, Nov. 9.—Tower Pictures, Inc., has been formed here to produce and exhibit. Directors are Harold J. Sherman, Seymour Olian and Etta Zwilling.

"In the good old summer time,
Strolling thro' the shady lanes,
With your baby mine."



"JEEPERS CREEPERS"
with
WEAVER BROTHERS and ELVIRY
ROY ROGERS • MARIS WRIXON
A Republic Picture

MOTION PICTURE DAILY'S BOOKING CHART

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Oct. 6	U-Boat 29 *Conrad Veidt* *Valerie Hobson*	Fast and Furious *Ann Sothern* *Franchot Tone*		What a Life *Jackie Cooper* *Betty Field*	Kansas Terrors *Jacqueline Wells* *The Three Mesquiteers*	Everything's On Ice *Irene Dare* *Edgar Kennedy*	The Escape *Kane Richmond* *Amanda Duff*	Eternally Yours *Loretta Young* *David Niven*	Hero for a Day *Anita Louise* *Dick Foran*	Pride of the Blue Grass *Edith Fellows* *Gantry the Horse*
Oct. 13	Scandal Sheet *Otto Kruger* *Ona Munson*	Babes in Arms *Mickey Rooney* *Judy Garland*		Jamaica Inn *Charles Laughton* *Maureen O'Hara*	Sabotage *Arleen Whelan*	Three Sons *Edward Ellis* *Virginia Vale*	Road to Glory *Fredric March* Hollywood Cavalcade *Alice Faye* *Don Ameche*		Tropic Fury *Richard Arlen*	On Your Toes *Zorina*
Oct. 20	Mr. Smith Goes to Washington *Jean Arthur* *James Stewart*	At the Circus *Marx Brothers*	Mutiny in the Big House Riders of Destiny Sagebrush Trail	Television Spy *William Henry* *Judith Barrett*			Pack Up Your Troubles *Jane Withers* Shipyard Sally *Gracie Fields* *Sidney Howard*		Oklahoma Frontier	Smashing the Money Ring *Ronald Reagan* *Rosella Towne*
Oct. 27	Beware Spooks *Joe E. Brown* *Mary Carlisle*	Bad Little Angel *Virginia Weidler*	Danger Flight Overland Mail *Jack Randall*	Disputed Passage *Dorothy Lamour* *Akim Tamiroff*	Jeepers Creepers *Weaver Bros. & Elviry*	Sued for Libel *Kent Taylor* *Linda Hayes*	20,000 Men a Year *Randolph Scott* The First World War	Housekeeper's Daughter *Joan Bennett* *Adolphe Menjou*	Tower of London *Basil Rathbone* Little Accident *Baby Sandy*	The Roaring Twenties *James Cagney* *Priscilla Lane*
Nov. 3	The Stranger from Texas	Ninotchka *Greta Garbo* *Melvyn Douglas*	Heroes in Blue *Dick Purcell* Fighting Mad *James Newill*	Law of the Pampas *William Boyd* *Russell Hayden*	Main Street Lawyer *Edward Ellis* *Anita Louise*	Flying Deuces *Laurel & Hardy* Marshal of Mesa City *George O'Brien*	Heaven with Barbed Wire Fence *Jean Rogers*		Call a Messenger The Road Back Legion of Lost Flyers *Richard Arlen*	Kid Nightingale *John Payne* *Jane Wyman*
Nov. 10	Blondie Brings Up Baby *Penny Singleton*	Remember? *Robert Taylor* *Greer Garson*	The Phantom Strikes *Sonny Hale* Raiders Over England	Cat and the Canary *Bob Hope* *Paulette Goddard*	Rovin' Tumbleweeds *Gene Autry* *Mary Carlisle*	Allegheny Uprising *John Wayne* *Claire Trevor*	Drums Along the Mohawk *Henry Fonda* *Claudette Colbert*		First Love *Deanna Durbin* One Hour to Live *Doris Nolan*	Private Lives of Elizabeth and Essex *Bette Davis* *Errol Flynn*
Nov. 17		Another Thin Man *William Powell* *Myrna Loy*		Rulers of the Sea *Douglas Fairbanks, Jr.*	Saga of Death Valley *Roy Rogers* The Covered Trailer *Gleason Family*	Meet Dr. Christian *Jean Hersholt*	Too Busy to Work *Jones Family*		Destry Rides Again *Marlene Dietrich* *James Stewart*	Dead End Kids on Dress Parade
Nov. 24	The Amazing Mr. Williams *Joan Blondell* *Melvyn Douglas*	Secret of Dr. Kildare *Lew Ayres* *Lionel Barrymore*	Roll, Wagons, Roll *Tex Ritter*	Our Neighbors, the Carters *Frank Craven* *Fay Bainter*		That's Right, You're Wrong *Kay Kyser* *Adolph Menjou*	Day-Time Wife *Tyrone Power* *Linda Darnell*	City for Sale *Ruth Terry* *Pat O'Brien*	Invisible Man Returns *Sir Cedric Hardwicke* *Nan Grey*	We Are Not Alone *Paul Muni* *Jane Bryan* *Flora Robson*
Dec. 1	I Married Adventure *Osa Johnson* Cafe Hostess *Preston Foster* *Ann Dvorak*	A Call on the President *Ann Sothern* *Louis Stone*	Yukon Flight *James Newill*	Night of Nights *Pat O'Brien* *Olympe Bradna*	Cowboys from Texas *The Three Mesquiteers* *Carol Landis*	Reno *Richard Dix* *Gail Patrick*	City in Darkness *Sidney Toler* Inspector Hornleigh on Holiday		Laugh It Off *Johnny Downs* *Constance Moore*	Return of Dr. X *Humphrey Bogart* *Rosemary Lane*
Dec. 8	Fugitive at Large *Jack Holt* Taming of the West *Bill Elliott*	Henry Goes Arizona *Frank Morgan* *Virginia Weidler*	West of the Divide *John Wayne* Lucky Texan *John Wayne*	Llano Kid *Tito Guizar* *Gale Sondergaard*		Two Thoroughbreds *Jimmie Lydon* *Joan Brodel*	Barricade *Alice Faye* *Warner Baxter*		Man from Montreal *Richard Arlen* *Andy Devine*	Private Detective *Jane Wyman* *Dick Foran*

Paramount Pictures

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OCTOBER 27 — Symphonic Series — MERRY WIVES OF WINDSOR

NOVEMBER 3 — Grantland Rice Sportlight — A DOG IS BORN

NOVEMBER 3 — Popeye the Sailor — NEVER SOCK A BABY

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HIS FAMILY WAITED FOR HIM TO GET WORK—
BUT NOTHING HAPPENED—
DESPERATE—HE TRIED TO BORROW FROM FRIENDS
BUT FOUND NO FRIENDS
EXCEPT
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WILLINGLY OUTSTRETCHED TO AID

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Strike Called, Then Delayed At Selznick

(Continued from page 1)

where salaries are $100,000 a year and up."

Business agents of 10 Alliance locals involved in the Selznick strike approved postponement of the walkout after conferring with Bioff, Stickling and Steve Newman, another international representative.

After the strike was ordered, Bioff issued the following statement:

"On Sept. 27, I.A.T.S.E. on behalf of its 12,000 members in Hollywood studios, whose average annual wage is $900, demanded and received a 10 per cent wage increase from the producers, retroactive to Aug. 10, on which date the closed shop agreement was signed between the producers and the Alliance.

"Some producers take the position that this raise was not intended to apply to key and flat salary men who already were being paid above the I.A.T.S.E. scale. I.A.T.S.E. takes the position that the 10 per cent raise was intended to benefit every member, including those paid over the scale."

Shooting of "Rebecca," only picture on the Selznick lot, was immediately suspended when the I.A. locals ordered their men out. From 125 to 150 workers marched out, according to studio figures. They included cameramen, still men, prop workers, electricians, sound men, projectionists and other Alliance workers. No members of the cast were at work today. Alfred Hitchcock was directing only insert shots.

The Screen Writers Guild, at its annual meeting last night, indicated it would welcome a conference with producers and other Guilds over industry problems, but would not attend any parley in which Bioff participated.

Governor to Attend Kyser Film Opening

Gov. Clyde R. Hoey of North Carolina has accepted RKO's invitation to attend the world premiere of the Kay Kyser film, "That's Right, You're Wrong" at Rocky Mount, N. C., Nov. 15. Senator J. W. Bailey of North Carolina also has indicated that he will attend.

Showmen Benefit Nov. 18

The second annual benefit banquet and entertainment of the National Showmen's Association will be held at the Hotel Commodore on Nov. 18, with stars of stage, screen and radio expected to participate. The organization is a benevolent association designed to aid the needy in the outdoor show business.

Astrachan Trial Set

Trial of the $22,400 breach of contract suit of Lipton Astrachan against Motion Picture Export Corp. was set for Jan. 5 by N. Y. Supreme Court Justice Wasservogel yesterday.

Air Plug for 'Twenties'

Warner's "The Roaring Twenties" will receive a radio plug from Kate Smith today at noon over CBS.

"We Are Not Alone"

[Warners]

(Continued from page 1)

tic matters, especially over the behavior of their son, Raymond Severn, a sensitive child whom the straight-laced mother fails to understand. No two persons could be more perfectly mismated.

In the course of his practice, Muni administers to Leni (Jane Bryan), an Austrian dancer, who subsequently hits it off handsomely with his son and becomes his governess. Spurred by the gossip of the town women and her jealousy of the lad's attachment for Leni, Miss Robson orders the governess from the house, over the doctor's entreaties. The son, sent to an uncle, returns and accidentally smashes a bottle of poisonous tablets, stuffing them into the bottle of headache pills used by his mother.

Meanwhile—this in 1914—war with Germany is imminent. Leni, being a potential enemy alien, is escaping with the doctor's help, when they are both arrested for the murder of his wife. Convicted of plotting to poison her, they are sentenced to hang.

The courtroom scenes, during which Muni suddenly is aware of his love for Leni, are masterfully handled, and his outcry against human ignorance and the stupidity of war is a clear indictment. Also touching is Muni's insistence that Gerald remain ignorant of what has happened and not be brought into the case, the father being unaware that he is the one person in the world who can explain his mother's death.

The accused die, exulting that they shall be together, and have with them young Gerald's spirit, in a better, kindlier world.

The cast includes a large roster of seasoned players, among them Una O'Connor, Henry Daniell, Montagu Love, James Stephenson, Stanley Logan and Cecil Kellaway. Hal B. Wallis was executive producer, Henry Blanke associate producer and Jack Sullivan assistant director.

Running time, 112 mins. "G."* ALFRED FINESTONE

*"G" denotes general classification.

Legion Approves 12 New Pictures

National Legion of Decency has approved 12 new pictures for the current week, seven for general patronage and five for adults. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage: "Allegheny Uprising," "Danger Flight," "Drums Along the Mohawk," "First Love," "Jeepers Creepers," "Llano Kid," "West of Carson City." Class A-2, Unobjectionable for Adults: "Housekeeper's Daughter," "Private Detective," "Remember," "Scandal Sheet," "We Are Not Alone."

Stars Joining Benefit

Luise Rainer, Dick Powell and Joan Blondell have been added to the roster of players who will appear on the "Night of Stars" program at Madison Square Garden Nov. 15. Other additions include Martha Raye, Tony Martin, Simone Simon, Mary Brian, Mitzi Green, Jimmy Durante, Beverly Roberts, Bert Wheeler and Jack Haley.

Branton Holds Meeting

DES MOINES, Nov. 9.—G. Ralph Branton, Tri-States Theatre Corp., business manager, presided over a luncheon meeting at the Kirkwood Hotel of 30 theatre managers and their assistants from Waterloo, Ottumwa, Newton, Oskaloosa and Cedar Falls.

Story Editor to Arrive

Irene Lee, story editor at the Warner studio on the Coast, will arrive from Hollywood over the week-end to inspect the current crop of Broadway stage plays. She is expected to remain in the East for about two weeks.

Gibney Named Chief By Screen Writers

HOLLYWOOD, Nov. 9.—The Screen Writers Guild last night elected Sheridan Gibney to succeed Charles Brackett as president. Other officers were named as follows: Sidney Buchman, vice-president; Boris Ingster, treasurer; Dwight Taylor, secretary.

Serving as directors will be Ralph Block, Charles Brackett, Lester Cole, Phillip Dunne, Mary McCall, Jr., E. C. Paramore, Gertrude Purcell, Wells Root, Dore Schary, Jo Swerling and Dalton Trumbo. Alternates include Melville Baker, David Hertz, Gladys Lehman, Robert Rossen, Milton Sperling and John Wexley.

Drop Thursday Opening

PROVIDENCE, Nov. 9.—The Majestic and Carlton, under Edward M. Fay management, have returned to Friday openings after having tried Thursdays for a month. This leaves the downtown first runs evenly divided, with the Strand, Loew's State and RKO-Albee holding to Thursday, and Fay's Theatre continuing to open on Friday.

179th NBC Station

KOWH, Omaha, will become affiliated as a supplementary station on the basic NBC-Blue, effective today. The station is owned by World Publishing Co. and operates on 500 watts and 1,660 k.c. It is the 179th station affiliated with the network. Basic rate is $160 per evening hour.

Rogers Sets Short Deal

Budd Rogers, vice-president and general manager of Alliance Films Corp., has closed a distribution deal with Sack Amusement Enterprises of Dallas, for the release of the Alliance two-reeler, "Birth of the Movies," in 11 southern states.

Hollywood Studio Notes

HOLLYWOOD, Nov. 9.—Along with its remake of "Bill of Divorcement," RKO is planning to do a new version of "Laddie," GENE STRATTON PORTER'S famous story last made by the studio four years ago with GLORIA STUART in a top [illegible]. BERT GRANET is doing the new screenplay. . . . JAMES GLEASON draws an important role in "Irene," at the same studio.

Turning to lighter things, WESLEY RUGGLES will produce and direct "Too Many Husbands," at Columbia, in which will be placed JEAN ARTHUR, FRED MACMURRAY and MELVYN DOUGLAS. CLAUDE BINYON, who has written other Ruggles productions, is doing the screenplay. . . . WENDY BARRIE will play opposite JOE PENNER in his next RKO vehicle, "Glamour Boy No. 2." . . . PAT O'BRIEN gets a top role in "Torrid Zone," which will co-star GEORGE RAFT and ANN SHERIDAN. . . . GEORGE BANCROFT has been signed by M-G-M.

Preminger at Yale

Otto L. Preminger, director and actor, has been appointed to the faculty of the drama school of Yale University. He will teach directing. Currently appearing in "Margin for Error" on Broadway, Preminger formerly was a director for 20th Century-Fox.

WMCA Commentator

Wythe Williams makes his bow as a radio commentator over WMCA when he substitutes for Eugene Lyons who goes on a lecture tour next week. Williams will be heard Monday through Saturday, except Wednesday, at 10:45 P. M. He is president of the Overseas Press Club.

Loses New Trial Plea

Application of Virgil C. Crites for a new trial in his patent infringement suit against Warner Bros., Radtke Patents Corp., Albert A. Radtke, Leonard Day and Thomas A. Martin was denied yesterday by Federal Judge Conger. Suit charged infringement of patent providing a means for optically reproducing sound.

2 States Pass 'Harvest'

"Harvest," French film originally banned by the New York State censor board, whose decision was reversed by the Board of Regents, has been passed without eliminations by the censor boards of Pennsylvania and Maryland.

Providence Bans 'Hitler'

PROVIDENCE, Nov. 9.—After attending a screening of "Hitler—Beast of Berlin," the Providence Bureau of Police and Fire, through Chairman Benjamin P. Moulton, today refused to issue a license for the film.

New WCSC Rate Card

WCSC, Charleston, S. C., latest CBS affiliated station, has issued its new rate card, effective Jan. 1, when it joins the network. Basic rate is $125 per evening hour.

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First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 94 NEW YORK, U. S. A., MONDAY, NOVEMBER 13, 1939 TEN CENTS

3,000 in Union At Exchanges To Ask Raises

Negotiations Begin Soon On New Contract

Wage increases will be asked by the Film Exchange Employes Union when negotiations on a new contract open here in about two weeks. The union is under the jurisdiction of the I. A. T. S. E., and has more than 3,000 members.

The present agreement, the first to be made by the union with the major distributors, expires Nov. 30. It was negotiated two years ago and covers employes of shipping and poster departments in the 32 exchange centers.

The 32 locals have designated 15 regional representatives to constitute the union's negotiating committee. They will be assisted by an I.A.T.S.E. official, either Dick Walsh, vice-president, or Lou Krause, assistant to George E. Browne, president.

New York Local B-51, with 300 members, is the largest unit. Lou Johnson, president, also will represent Albany, Buffalo, Boston and New Haven.

The locals are submitting sugges-

(*Continued on page 14*)

Newsreels Revive Parleys on Wages

Conferences on the new contract between the five newsreels and Cameramen's Local 644 have been resumed here for clarification of agreements reached in the negotiations in Hollywood last month and for settlement of additional union demands not touched upon at the West Coast session.

The Hollywood negotiations resulted in a 10 per cent wage increase for the newsreel cameramen and an agreement eliminating the former practice of having one camera crew cover certain

(*Continued on page 14*)

3 Holiday Releases Set by Paramount

Paramount will offer three pictures for holiday bookings during the period from Nov. 24 to Dec. 20, each of which will be given a premiere adapted to the production, Neil Agnew, vice-president in charge of distribution, announced Saturday.

The pictures are "Geronimo," "Gulliver's Travels" and "The Great Victor Herbert." They will be the basis

(*Continued on page 14*)

Germans Angered, Cut War Newsreel Supply to America

Germany has decreased its releases of official newsreel material to representatives of American reels to the point where virtually no German footage has been received here during the past two weeks.

The development is in sharp contrast to the experience of the American reels during the first eight weeks of the war, when German footage, particularly that relating to the invasion and occupation of Poland, was released by the authorities in large quantities.

No explanation for the development has been received by newsreel editors here, and there is no indication whether or not the policy is the result of official German resentment of

(*Continued on page 6*)

Washington Orders Film Labor Records

HOLLYWOOD, Nov. 12.—Walter P. Spreckels, regional director for the National Labor Relations Board, has been ordered to appear at Washington on Dec. 1, bringing with him all records of his office, including motion picture labor cases. Approximately 50 huge filing cabinets hold records at the local office. The N.L.R.B. is under Congressional investigation.

O'Shea Awarded Post at Selznick

Hollywood, Nov. 12.—Daniel T. O'Shea will be elected vice-president of Selznick International at the next meeting of the board of directors. He will replace Henry Ginsberg, who resigned last week. O'Shea has been serving as secretary of the Selznick Corporation. He was with RKO from 1930 to 1936.

Trust Suit Counsel Confer Tomorrow

Attorneys for company defendants in the Government's New York anti-trust suit will confer again tomorrow with Paul Williams of the Attorney General's staff on matters pertaining to the preparation of defendant's answers to the Government's comprehensive interrogatories.

The conference, originally scheduled for today, may result in further agreement between the two sides on the exclusion of certain questions and the simplification of other parts of the interrogatories which will have to be answered by the defendants.

In view of the fact that even this preliminary work in connection with

(*Continued on page 6*)

Films Will Be Made in N. Y., Says Mayor After Parley

Mayor La Guardia, after a conference Friday with representatives from ten unions interested in the motion picture industry, declared that motion pictures would be made in New York City.

The Mayor did not enlarge upon his statement, but added that reporters present after the conference would be advised of more details from time to time.

After calling press representatives, the Mayor stated:

"We have had a series of conferences. Representatives of all unions of artists and stage hands concerned with the making of motion pictures have been present. We have decided that we are going to make motion pictures in New York City. More details will be forthcoming from time to time and we will keep you informed from week to week."

One of the Mayor's aides stated that he did not believe that this statement meant that the City would go into the motion picture industry. He and union representatives present refused to further clarify the Mayor's remarks.

The conference was attended by Thomas J. Lyons of the Central Trades and Labor Council who acted as chairman of the committee; Jacob Rosenberg of the Musicians Union, Local 802; Sol Scoppa and George Ackerson, Jr., of the Motion Picture Studio Mechanics Union, Local 52; Florence Marston and Michael Connolly of the Screen Actors Guild; Saul Harrison of the Association of Assistant Directors, Local 18168; Thomas Murtha of the Stagehands Union, Local 4; William Burns of the Operators Union, Local 306; Martin T. Lacey of the Teamsters Union, Local 817; Louis Hollander of the theatrical Costume Workers Union; Fred Marshall of the United Scenic Artists Union, Local 829; John Rugge of the Laboratory Technicians Union, Local 702; Charles Downs of the Cameramen's Union, Local 644, and James C. Quinn, secretary of the Central Trades and Labor Council.

U. S. is Ready To Start New London Films

American Majors Fear Proposed Restrictions

LONDON, Nov. 12.—It is authoritatively understood here that American major companies have plans in a matured state for the launching of production programs here, which will get under way immediately after the Government declares its intentions relative to restrictive legislation.

It is said that the box-office success here and in other countries of such films as "Goodbye, Mr. Chips" and "French Without Tears" has convinced American producers of the marketability of high quality British-made features.

Observers here believe that the pressure on the Government from British producer and labor interests has convinced Oliver Stanley, president of the Board of Trade, of the need of an adjustment of legislation in order to preserve constant production activity and guarantee a steady supply of films. Obviously, American participation in such activity is anticipated.

The present inability to reach an agreement on the terms of the remittance legislation proposed by the British Government to regulate the export of revenue by American companies, is the only factor standing in the way of immediate activity, it is said.

Sears Sales Drive Will Start Dec. 24

Warners' fourth annual Sears Drive will run for 16 weeks, from Dec. 24 through April 13, 1940. Plans for the sales drive were completed at a series of home office meetings last week, attended by executives and district managers, and presided over by Gradwell L. Sears, general sales manager.

Attending the meetings were Major Albert Warner, vice-president; Charles Einfeld, director of advertising and publicity; Carl Leserman, assistant general sales manager; Roy Haines, eastern and Canadian sales manager; Ben Kalmenson, western and southern sales manager; Mort Blumenstock, in charge of advertising and publicity in the East; Ed Schnitzer, eastern district manager; Bob Smeltzer, central district manager;

(*Continued from page 2*)

Purely Personal

GEORGE J. SCHAEFER, RKO president, is expected back in New York within the next few days following a brief vacation which he took after several weeks at the company's Hollywood studio.

•

BEN Y. CAMMACK, assistant to PHIL REISMAN, general export manager of RKO, will sail Nov. 18 on the *Santa Lucia* with Panama as the first stop of an annual inspection trip to South America. He will visit Chile, Argentina and Brazil.

•

M. J. CULLEN, Midwest division manager for Loew's was in St. Louis last week for conferences with HAROLD EVANS, manager, and JAMES HARRIS, press agent, for Loew's State.

•

ED BURKHARDT, West Virginia salesman for the Cincinnati 20th Century-Fox branch, and ANN ORRINGER, biller in the same office, will be married Nov. 25.

•

CARL WINSTON, vice-president of Producers Corporation of America, left the Coast Friday for the East to confer with ADELE ROGERS ST. JOHN.

•

GEORGE HAUPERT and IRVING ALTSCHULER of the Columbia home office were in Albany for a few days last week.

•

LOUIS R. GOLDING, Fabian Theatres district manager in Albany, is visiting the home office of the circuit.

•

JOHN A. SCHWALM, manager of the Rialto, Northi unit at Hamilton, O., has been reelected to the City Council.

•

DON AMECHE has left Hollywood for a hunting trip at Grant's Lake, Ore., and plans a vacation in the East shortly.

•

LOU POLLOCK, Universal Eastern advertising and publicity manager, will return today from a vacation trip to Florida.

•

DAVID MILLER, Universal district manager, visited JOSEPH ENGEL, Albany branch manager, late last week.

•

W. C. GEHRING, 20th Century-Fox central division head, is back on the job after a minor operation.

•

SAM SHAIN, after a few days' illness, will be back today at his desk as editor of MOTION PICTURE DAILY.

•

MRS. HARRY MARTIN, wife of the film critic of the Memphis *Commercial Appeal*, has been visiting here.

•

JOSEPH I. BREEN, Production Code Administrator, has left on his return to Hollywood.

•

ANDREW KOSTELANETZ, orchestra leader, is due today from Hollywood.

•

TONY MARTIN arrives today from the Coast.

•

JACK MUNDSTUCK, M-G-M salesman in Pittsburgh, is the father of a son, Jay Allen, born to MRS. MUNDSTUCK last week.

•

LOU SMITH of the Paramount home office was in Cincinnati late last week.

•

NOEL LANGLEY, M-G-M writer, is vacationing here.

•

MITCHELL WOODBURY, Toledo film critic, has been in town.

•

JACK L. WARNER has returned to the Coast from his Eastern visit.

Balaban Sees Early Boosts For Grosses

CHICAGO, Nov. 12.—John Balaban, following the two-day meeting of more than 100 Balaban and Katz theatre managers, voiced optimism over the prospect of an early business upturn in the region which his houses serve.

While admitting that present trade conditions do not excite cheer, Balaban said that economic signs foretell a promising stimulus before long. The war has increased operations almost to 100 per cent in nearby steel and manufacturing cities, but theatres are slow in feeling the effect of this sudden prosperity, he added.

Business in Chicago's Loop retail stores has increased about 10 per cent this Fall, but theatre grosses aren't keeping stride with this improvement, Balaban said. However, he predicted that theatres could reasonably anticipate an early beneficial effect.

The Balaban and Katz meeting was called the most successful in the past ten years. No policy changes were announced.

Wobber, Levy Push Kent Drive Meetings

After completing sales meetings in New Orleans and Atlanta over the weekend, Herman Wobber, 20th Century-Fox general sales manager, and M. A. Levy, Kent drive leader, are continuing their swing around exchanges. It will be concluded with a session at the New York branch on Nov. 20.

The meetings are the third in a series in connection with the Kent drive. Wobber and Levy, after a stopover in Washington, arrive in Philadelphia today. The itinerary then includes Pittsburgh, Cincinnati, Indianapolis, Detroit, Cleveland, Albany, Buffalo, Boston and New York.

Division and district managers are accompanying Wobber and Levy in their territories. The tour is being made mostly by plane.

Korda Off to Coast; Misses UA Meeting

Alexander Korda left New York for the Coast by plane over the weekend to see his wife, Merle Oberon, and to confer on his future production activities.

The trip may cause Korda to miss the United Artists annual stockholders' meeting which is scheduled to be held here tomorrow. In that case he would be represented at the meeting by Emanuel Silverstone.

Spanish Film Chief Given Metro Post

BARCELONA, Nov. 12.—Metro here has appointed Manuel Garcia Vinolas, head of the Government Motion Picture Bureau, as general secretary for the company in Spain.

Indicative of Metro's drive for business in the Spanish market, is the plan under way by which for the week of Nov. 20, all of the 130 theatres in Barcelona will have Metro pictures on their programs.

"Camille," starring Greta Garbo, has enjoyed unusual success, running for four weeks. There was a heavy advance sale of tickets at high prices.

Einfeld Going West After 3 Weeks Here

Charles Einfeld, director of advertising and publicity for Warner Bros., will leave for the Coast tomorrow with Mrs. Einfeld, after a three weeks' stay here conferring with home office executives on advertising and publicity plans for forthcoming Warner product.

While here, Einfeld held a series of conferences with Maj. Albert Warner, Gradwell L. Sears, Carl Leserman and Mort Blumenstock on merchandising plans for such Warner releases as "We Are Not Alone," "Four Wives," "The Story of Dr. Ehrlich," "The Fighting Sixty-Ninth," "We Shall Meet Again" and "Virginia City."

300 to See Cinema Lodge Get Charter

Charter meeting of Cinema lodge, No. 1365, B'Nai B'rith, will be held at 8:30 P. M. Thursday in the Sun Room of the Hotel Edison.

Two hundred members, besides 100 male guests, will be present to see Harry B. Epstein, official of the New York State order, present the charter. The meeting will be presided over by A. W. Schwalberg, president of the lodge.

Cinema lodge is composed of a number of film industry notables. A drive is being conducted to raise the membership to 500 by Jan. 1.

Title Change Lifts Ban on Hitler Film

On the condition that Producers Distributing Corp. change the title to "Beasts of Berlin," the New York Censor Board Friday lifted its ban on "Hitler, Beast of Berlin." A few cuts also were made. Vincent G. Hart, until recently with the Hays office production code administration in the East, represented P. D. C.

The Detroit Censor Board has passed "Hitler, Beast of Berlin" without any changes. It has been banned in Chicago.

Ruth Terry Party Today

Ruth Terry will be guest of honor at a press reception today at the Seven-Eleven Club. Miss Terry arrives this morning from the Coast, following completion of her role in the Walter Wanger film, "City for Sale," which will be released by United Artists. United Artists and the Walter Wanger organization will be hosts at the party.

Fourth Sears Drive Begins December 24

(*Continued from page 1*)

Wolfe Cohen, Canadian district manager; Henry Herbel, midwest district manager; Fred Jack, southern district manager; Rud Lohrenz, prairie district manager and W. E. Callaway, West Coast district manager.

District managers will act as captains of their particular territories under the supervision of Roy Haines and Ben Kalmenson, for the East and West, respectively.

Competition for the awards, which total $25,000 in cash, will again be set up according to districts, with the prizes divided among the three winning districts and their branches.

Following meetings with Haines and Kalmenson, the district managers left for their territories to meet with their branch managers and salesmen.

With "Four Wives" set to lead off the drive for Christmas Week, the company has scheduled its top budget features for distribution during the Sears Drive period. Others to follow include: "A Child Is Born," "Invisible Stripes," "Brother Rat and a Baby," "The Story of Dr. Ehrlich," "The Fighting Sixty-Ninth," "Years Without Days," "We Shall Meet Again" and "Virginia City."

RKO Officials Back From Circuit Deals

Ned E. Depinet and Western and Southern Sales Manager Cresson E. Smith of RKO have returned from Dallas where they closed a deal with Karl Hoblitzelle and Robert O'Donnell for their circuits comprising the Interstate Theatres and Texas Consolidated Theatres. The transaction involves about 130 theatres.

Sheehan's 'Florian' Put Before Cameras

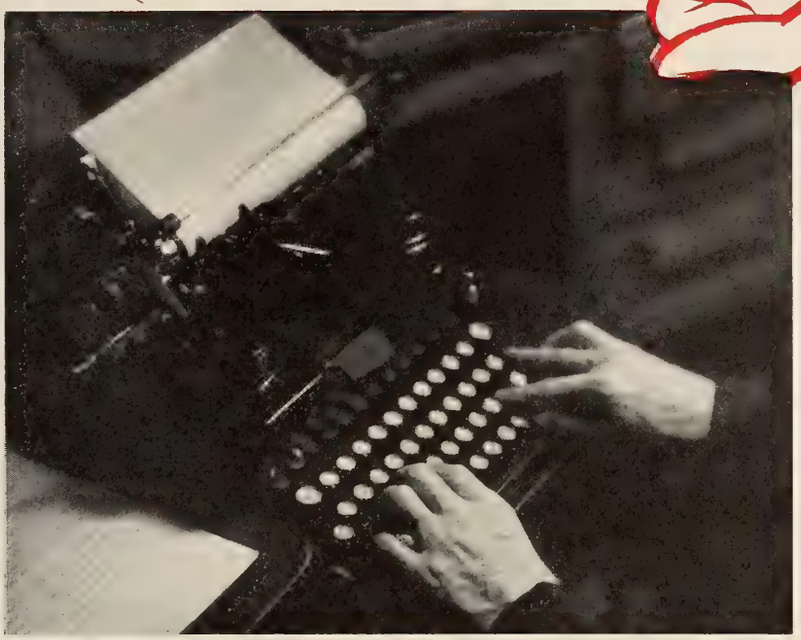
Camera work on "Florian," which Winfield Sheehan is producing for M-G-M, has gotten under way after many months of preparation. First scenes are being made in Hidden Valley, California, in the vicinity of the Sheehan ranch.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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"Topnotchka!"



THE CRITICS GET THE LUBITSCH TOUCH!

Crowds Pack Radio City Music Hall as "NINOTCHKA" Gets Raves of Press and Public. Listen!

"A new and delightful Greta Garbo . . . The picture is something to be seen and relished . . . The cleverest piece to have come out of Hollywood in years . . . Brilliantly directed by Ernst Lubitsch. In a word, 'Ninotchka' is a 'must' not only for Garbo enthusiasts, but for all who enjoy good pictures." —KATE CAMERON, *N. Y. Daily News*

•

"One of the sprightliest comedies of the year, a gay and impertinent show which never pulls its punch lines . . . Thoroughly entertaining . . . Newsprint cannot do full justice to Miss Garbo's delightful debut as a comedienne . . . The comedy comes off brilliantly. We think you will like it immensely." —FRANK S. NUGENT, *N. Y. Times*

"The year's most captivating screen comedy . . . Garbo gives a joyous and utterly enchanting portrayal . . . Lubitsch has put his famous directorial touch on the film . . . Garbo is a past mistress of comedy . . . even more lovely than in the past . . . It is a Garbo triumph." —HOWARD BARNES, *N. Y. Herald Tribune*

•

"One of the gayest and funniest pictures presented in a season that has seen many good films . . . Greta Garbo becomes an outrageously lovely, merry and romantic actress . . . The picture has wit in every scene . . . The pace never lessens." —EILEEN CREELMAN, *N. Y. Sun*

(over)

CONTINUED! THE REVIEWS ARE HOTCHKA!

"Excellent! Lubitsch and Garbo . . . there's a combination for you . . . Gloriously, uproariously amusing . . . 'Ninotchka' is everything in the way of slick entertainment . . . Garbo is completely magnificent."

—IRENE THIRER, *N. Y. Post*

•

"Garbo really does sparkle . . . An enchanting comedy in the best Lubitsch style . . . The wit, smartness, good nature will charm audiences. Adult comedy and a certain hit."

—BLAND JOHANESON, *N. Y. Daily Mirror*

•

"One of the most delightful entertainments of this or any season . . . Garbo's performance enormously funny . . . those famed 'Lubitsch touches' happily in evidence. Don't miss this one."

—ROSE PELSWICK, *N. Y. Journal & American*

•

"Greta Garbo proves that she is a comedienne of greatness and distinction in a frolicsome, frothy and completely delightful comedy . . . She is a delight. If you fail to see it you'll be missing one of the jolliest treats of the year."

—WILLIAM BOEHNEL, *N. Y. World-Telegram*

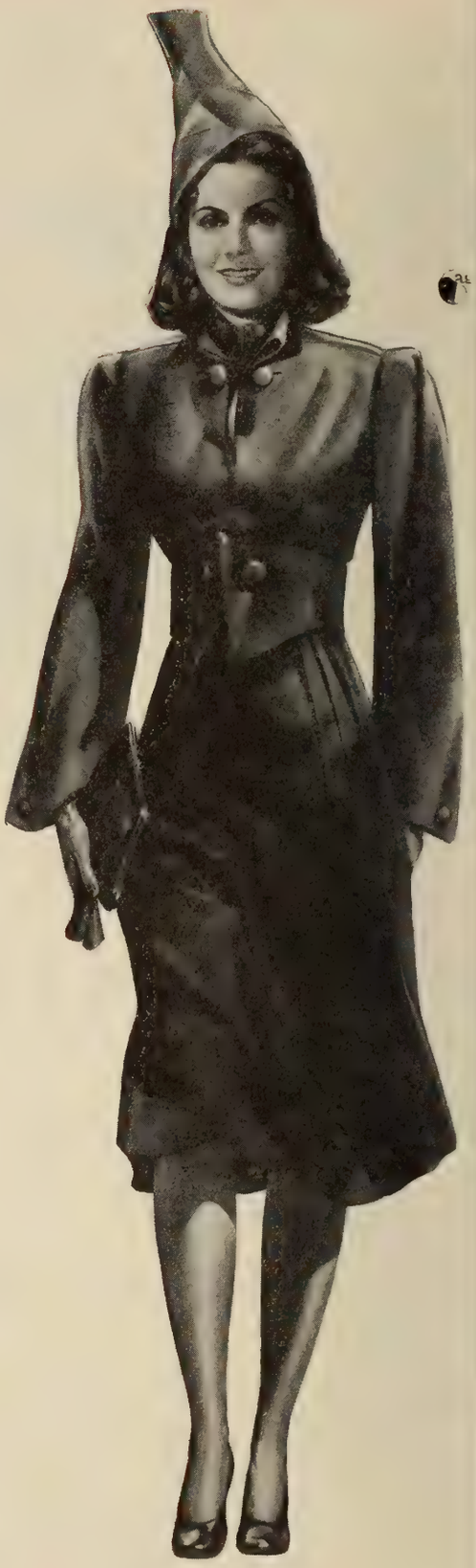
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"One of the brightest and liveliest pieces of the year . . . On all counts, the film is one of the grand events of the season . . . Put it right up at the head of the list of the best pictures of 1939."

—LEO MISHKIN, *N.Y. Morning Telegraph*

And it's S. R. O. at the B. O.!





GARBO Gets the LUBITSCH TOUCH *in M-G-M's Sensational*

"NINOTCHKA"

(DON'T PRONOUNCE IT — SEE IT)

with Melvyn Douglas · Ina Claire · Screen Play by Charles Brackett, Billy Wilder and Walter Reisch · Based on the Original Story by Melchoir Lengyel · Directed by Ernst Lubitsch

YOUR NEW M-G-M STAR GARBO LAUGHS!

'Smith' Clears Good $9,100, Leads Seattle

SEATTLE, Nov. 12.—"Mr. Smith Goes to Washington" was good for a smash $9,100 at the Liberty, while "The Roaring Twenties" plus vaudeville scored $6,000 at the Palomar. The weather was cooler.

Estimated takings for the week ending Nov. 10:

"Eternally Yours" (20th-Fox)
"The Under-Pup" (Univ.)
BLUE MOUSE—(950) (25c-40c-55c) 7 days, 2nd week. Gross: $2,100. (Average, $4,000)
"Jamaica Inn" (Para.)
"Two Bright Boys" (M-G-M)
FIFTH AVENUE—(2,500) (25c-40c-55c) 7 days. Gross: $7,400. (Average, $7,000)
"Mr. Smith Goes to Washington" (Col.)
LIBERTY—(1,800) (25c-40c-55c) 7 days. Gross: $9,100. (Average, $5,000)
"Babes in Arms" (M-G-M)
MUSIC BOX—(940) (25c-40c-55c) 7 days, 3rd week. Gross: $3,300. (Average, $4,000)
"At the Circus" (M-G-M)
"Island of Lost Men" (Para.)
ORPHEUM—(2,450) (25c-40c) 7 days, 2nd week. Gross: $5,700. (Average, $6,000)
"The Roaring Twenties" (W. B.)
PALOMAR—(1,500) (15c-25c-40c) 7 days. Vaudeville, headed by Warner & Leigh. Gross: $6,000. (Average, $5,000)
"Disputed Passage" (Para.)
"$1,000 A Touchdown" (RKO)
PARAMOUNT—(3,050) (25c-40c) 7 days. Gross: $5,600. (Average, $6,000)

Copyright Decision Received by Kilroe

E. P. Kilroe, copyright attorney for 20th Century-Fox, on Friday received a copy of the opinion recently given by the Privy Council of Great Britain in a suit involving use of the title "The Man Who Broke the Bank at Monte Carlo," 20th Century-Fox film.

Francis Day & Hunter, Ltd., English music publishers, lost their appeal because the title of the song alleged to be infringed was not properly copyrighted in Canada, where the case originated. The Council, a court of last resort, termed the plaintiff's claim "abhorrent to common sense" and "preposterous."

Kilroe said the decision is important to the industry because if the claim had been sustained, "it might be necessary in a great many cases to have a title in Canada different from the title in the United States, thus necessitating two sets of advertising accessories which would mean an additional cost of $8,000 to $10,000 on a picture."

Loss of 25% Gross Blamed on Pickets

ST. LOUIS, Nov. 12.—Business at the Fox theatre has fallen off 25 per cent since picketing of the theatre by the Movie Operators Union began Oct. 5, Chauncey B. Nelson, personnel director of the Fanchon and Marco Service Corp., testified in the F. & M.'s and St. Louis Amusement Company's injunction suit to restrain picketing at the Fox and six neighborhood houses.

Girardot Dies at 83

HOLLYWOOD, Nov. 12. — Etienne Girardot, 83, character actor, died Friday. Girardot had just finished a role in "The Hunchback of Notre Dame." After many years on the stage, Girardot launched his screen career at the old Vitaphone Company in Brooklyn years ago. In 1930 he came to Hollywood and was in numerous films.

Key City First Run Houses Total Gross Hits $1,363,300

The total of key city grosses for the week ending Oct. 26-27 from 147 first run theatres in the key cities of the country amounted to $1,363,300, according to the weekly compilation of box-office receipts published in MOTION PICTURE DAILY.

A high figure was achieved following the opening of the Fall season, during the week ending Sept. 28-29, when 154 key city theatres reported an aggregate gross of $1,487,900.

Following is a tabulation listing the total gross by weeks, and the number of theatres involved, from Jan. 1, 1939.

Jan. 5- 6	151	$1,829,822
Jan. 12-13	145	1,372,400
Jan. 19-20	146	1,368,322
Jan. 26-27	145	1,345,715
Feb. 2- 3	147	1,469,400
Feb. 9-10	147	1,494,600
Feb. 16-17	146	1,393,100
Feb. 23-24	147	1,417,700
Mar. 2- 3	146	1,400,000
March 9-10	147	1,352,050
March 16-17	155	1,366,800
March 23-24	154	1,439,600
March 30-31	151	1,322,225
April 6- 7	151	1,283,100
April 13-14	154	1,639,300
April 20-21	149	1,432,900
April 27-28	151	1,401,600
May 4- 5	154	1,386,280
May 11-12	155	1,352,845
May 18-19	154	1,318,300
May 25-26	155	1,274,050
June 1- 2	153	1,256,050
June 8- 9	143	1,141,700
June 15-16	141	1,133,950
June 22-23	137	1,150,960
June 29-30	138	1,168,750
July 6- 7	125	1,159,550
July 13-14	136	1,146,600
July 20-21	136	1,130,620
July 27-28	136	1,190,000
Aug. 3- 4	140	1,175,850
Aug. 10-11	137	1,276,750
Aug. 17-18	132	1,233,800
Aug. 24-25	140	1,401,150
Aug. 31-Sept. 1	147	1,410,800
Sept. 7- 8	145	1,490,144
Sept. 14-15	148	1,409,600
Sept. 21-22	151	1,399,745
Sept. 28-29	154	1,487,900
Oct. 5- 6	154	1,389,650
Oct. 12-13	137	1,279,000
Oct. 19-20	147	1,387,550
Oct. 26-27	147	1,363,300

(*Copyright*, 1939, *Quigley Publishing Company, Inc.*)

Seeks Writ to Halt Gift Night in Texas

BEAUMONT, Tex., Nov. 12.—Judge R. L. Murray tomorrow will hear arguments on the application of Lawrence Fontana, operator of the Dreamland in Port Arthur, for an injunction to restrain operators of the Lincoln in that city from conducting Gift Nights.

Fontana alleges in his petition that the Dreamland exhibitors are violating a state law and says that he loses $100 on admissions twice a week when the Gift Nights are held. Both houses are for negro patronage.

Stoneman in Appeal

Notice of appeal to the Appellate Division of the N. Y. Supreme Court from a dismissal after trial of his suit was filed Friday by David Stoneman, plaintiff in an action for $70,886 damages against former Paramount-Publix directors, Sam Katz, Sam Dembow, Jr., Marion Coles, Fred L. Metzler, Ralph A. Kohn and Felix E. Kahn. Suit claims that the defendants issued a false financial statement to the plaintiff to induce him to lease a Paramount-Publix theatre.

Armistice Observed As '69th' Is Finished

HOLLYWOOD, Nov. 12.—William Keighley, director of Warners' "The Fighting 69th," shot the final scene yesterday as part of the Armistic Day ceremony at the Burbank studio. The sequence was one in which James Cagney, Pat O'Brien, George Brent, Jeffrey Lynn, Frank McHugh and Alan Hale all appear. Capt. John T. Prout, veteran of the 69th regiment, who acted as technical director of the film, officiated at the Armistice ceremonies.

Set N. H. Union Ball

NEW HAVEN, Nov. 12.—The exchange employes union here will hold a film ball at Baybrook Inn on Dec. 5. Jack Mullen, president, has appointed Jerry Massimino general chairman.

Reject Only One Reel

COLUMBUS, Nov. 12.—There was but one reel rejected by the Ohio censors out of 132 submitted for review during the week ending Nov. 3.

Hollywood Studio Notes

HOLLYWOOD, Nov. 12.—With interest in naval flying increasing as the armed forces of the nation are being expanded, M-G-M has purchased "Flight Command," story of Navy aviation, from HARVEY HAISLIP and JOHN SUTHERLAND. It will be made on a high budget and will star ROBERT TAYLOR. J. WALTER RUBEN will produce.

HAISLIP is a retired naval officer and his last work at M-G-M was the collaboration with RALPH WHEELWRIGHT on "Thunder Afloat."

DOROTHY PARKER and ALAN CAMPBELL, husband-wife writing team, have been signed by RKO to write the script for "Passport to Life," CARY GRANT vehicle. It is an original by FANYA FOSS and JAN J. LEMAN.

HALLEY CHESTER, HARRIS BURGER, FRANK BURKE, DONALD HAINES and JACK EDWARDS, of "Dead End"-"Tough Guy" picture fame, have been signed by SAW KATZMAN of Four Bell Pictures, Inc., to play in "East Side New York."

Screen version of "Irene," musical stage play which ran for 675 consecutive performances on Broadway, goes before the cameras this week at the RKO studios. HERBERT WILCOX will produce and direct with ANNA NEAGLE enacting the titled role. ROLAND YOUNG, RAY MILLAND and MAY ROBSON will be in support.

Production of "New Moon," NELSON EDDY-JEANETTE MACDONALD starring vehicle, has started at M-G-M. W. S. VAN DYKE is directing the RICHARD Z. LEONARD production. MARY BOLAND, BUSTER KEATON, NAT PENDLETON, JOHN MILJAN and GRANT MITCHELL are included in the cast.

Capitol Plans 'Wind' For Christmas Week

"Gone With the Wind" may be the Christmas week attraction at the Capitol on Broadway, opening for an extended run.

Elaborate preparations are being completed for the film's premiere Dec. 15 at Atlanta, Ga.

The M-G-M films released during the run of the Selznick picture will be first run elsewhere in New York, and several are expected to play at the Radio City Music Hall. Under this arrangement, "Judge Hardy and Son" would be the Christmas attraction at the Music Hall and "Balalaika" would follow, possibly during New Year's.

Next bookings for the Capitol are "At the Circus," Marx Bros. film, "Another Thin Man" and "Remember," preceding "Gone With the Wind."

The scheduled M-G-M mid-season sales conference of district and branch managers has been postponed until early next year, by which time the company will have determined its national policy on the Selznick special, on the basis of test first runs in eight or 10 selected cities.

'Babes' Holds Lead in Hub With $36,500

BOSTON, Nov. 12.—"Babes in Arms" and "Those High Grey Walls" again hit the high spot for the second week, drawing a total $36,500 to the Loew's Orpheum and State, $20,000 and $16,500 in that order. "The Roaring Twenties" and "Kid Nightingale" did $16,000 at the Metropolitan.

Estimated takings for the week ending Nov. 8:

"The Road to Glory" (20th-Fox reissue) (3 days with vaudeville)
"The House of Horror" (Univ.) (1st run) (3 days with vaudeville)
"Calling All Marines" (Rep.) (4 days) (1st run)
"Frontier Marshal" (20th-Fox) (2nd run) (4 days)
RKO KEITH BOSTON—(3,200) (25c-30c-35c-40c). Gross: $9,000. (Average, $7,500)

"Intermezzo" (U. A.) (2nd week)
"Three Sons" (RKO) (1st week)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c). Gross: $13,500. (Average, $14,500)

"On Your Toes" (W. B.)
"Smashing the Money Ring" (W. B.)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $8,000. (Average, $7,500)

"On Your Toes" (W. B.)
"Smashing the Money Ring" (W. B.)
FENWAY — (1,382) (25c-35c-40c-55c) 7 days. Gross: $5,000. (Average, $4,500)

"Roaring Twenties" (W. B.)
"Kid Nightingale" (W. B.)
METROPOLITAN — (4,332) (25c-35c-40c-55c) 7 days. Gross: $16,000. (Average, $14,500)

"Babes in Arms" (M-G-M)
"Those High Grey Walls" (Col.)
LOEW'S ORPHEUM — (2,900) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $20,000. (Average, $14,500)

"Babes in Arms" (M-G-M)
"Those High Grey Walls" (Col.)
LOEW'S STATE—(3,000) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $16,500. (Average, $11,000)

"Honeymoon in Bali" (Para.)
"Pride of the Bluegrass" (W. B.)
SCOLLAY — (2,500) (25c-35c-40c-50c) 7 days, 2nd run. Gross: $5,000. (Average, $4,000)

Trust Suit Counsel Confer Tomorrow

(*Continued from page* 1)

the interrogatories has not been completed, it is believed certain that a further extension of the time for answering or objecting to the interrogatories will be granted by Williams. The last extension granted will expire on Wednesday.

Fox West Coast Hearing Postponed to Dec. 4

LOS ANGELES, Nov. 12.—Hearing on the defendant companies' motion for a bill of particulars in the Department of Justice action against Fox West Coast and major distributors, scheduled here Monday, has been postponed to Dec. 4.

Reich Cuts Supply Of War Newsreels

(*Continued from page* 1)

the passage of the American Neutrality Bill or of temporary censorship measures applicable to recently available newsreel material inside Germany.

Norman Alley, recently sent to Germany by News of the Day, has been in Berlin for some little time but none of his material from there has been received here yet.

Official releases from France and England continue in usual volume.

New York Review

"The Phantom Strikes"

(Associated British-Monogram)

Based on Edgar Wallace's mystery novel, "The Ringer," this mystery holds a double-barrelled charge. Mystery fans must not only locate the murderer but also must determine when, if ever, the murder will take place. Both solution and murder occur simultaneously at the end of the last reel.

The action is fast and the clues are adequately distributed to make the whole cast, including Scotland Yard, subject to suspicion. Wilfrid Lawson, last seen in "Pygmalion" and "Allegheny Uprising," is an unscrupulous lawyer who receives a threat of death from the "Ringer," a phantom character of multitudinous disguises.

A varied set of characters, all sharply defined, includes Louise Henry, as the "Ringer's" wife; Alexander Knox, a Scotch psychologist; Patrick Barr and John Longden, police inspectors; Sonnie Hale, a quaking small-time crook who undertakes to identify the "Ringer," and Peter Croft, a burglar who has been double-crossed by Lawson. Seen, too, is Patricia Roc, who plays Croft's sister with an engaging charm and provides the romantic interest.

The direction of Walter Forde gives the film plenty of tense moments with a minimum of recourse to the standard devices. Sidney Gilliat wrote the screenplay. Michael Balcon produced.

Running time, 58 minutes. "G."* EDWARD GREIF

**"G" denotes general classification.*

'Roaring' Cincinnati Leader with $11,000

CINCINNATI, Nov. 12.—"The Roaring Twenties" gave the RKO Palace $11,000, while Constance Bennett, heading the RKO Shubert stage bill, plus "Two Bright Boys" on the screen, brought $13,000. "Mr. Smith Goes to Washington" had a $6,600 third week at the RKO Capitol.

Estimated takings for the week ending Nov. 8-11:

"Intermezzo, a Love Song" (U. A.)
RKO ALBEE—(3,300) (35c-42c) 7 days Gross: $9,700. (Average, $12,000)
"The Roaring Twenties" (W. B.)
RKO PALACE—(2,700) (35c-42c) 7 days. Gross: $11,000. Average, $10,000)
"Two Bright Boys" (Univ.)
RKO SHUBERT—(2,150) (40c-60c) 7 days. Stage: Constance Bennett and acts. Gross: $13,000. (Average, $10.000)
"Mr. Smith Goes to Washington" (Col.)
RKO CAPITOL—(2,150) (35c-42c) 7 days, 3rd week. Gross: $6,600. (Average, $6,500)
"The Flying Deuces" (RKO)
RKO LYRIC—(1,400) (25c-40c) 7 days. Gross: $4,000. (Average, $5,000)
"The Man They Could Not Hang" (Col.)
"Women in the Wind" (W. B.)
RKO FAMILY —(1,000) (15c-25c) 4 days. Gross: $1,500. (Average, $1,500)
"Television Spy" (Para.)
"The Witness Vanishes" (Univ.)
RKO FAMILY—(1,000) (15c-25c) 3 days. Gross: $900. (Average, $900)
"Blondie Brings Up Baby" (Col.)
KEITH'S—(1,500) (30c-40c) 7 days. Gross: $4,200. (Average, $6,000)

'GreatCommandment' Bought by 20th-Fox

"The Great Commandment," produced by Cathedral Pictures Co., has been purchased by 20th Century-Fox and its director, Irving Pichel, given a contract by Darryl Zanuck. No release date has been set as yet.

Produced by John T. Coyle and the Rev. James Friedrich, the film has a religious theme based on the Commandment, "Thou shalt love thy neighbor as thyself."

Warner Party Dec. 9

ALBANY, Nov. 12.—Warner clubs of the Albany and Troy areas will hold their annual joint winter dance at the Hendrick Hudson Hotel, Troy, Dec. 9. Max Friedman, president, will appoint a committee on arrangements.

'Essex' Scores Big $11,300, Milwaukee

MILWAUKEE, Nov. 12.—The week's high was "The Private Lives of Elizabeth and Essex" and "Kid Nightingale," which drew $11,300 at the Warner. "Rio" at the Riverside, with the Milt Herth Trio on the stage, grossed $8,000.

Estimated takings for the week ending Nov. 8-9:

"The Private Lives of Elizabeth and Essex" (W. B.)
"Kid Nightingale" (W. B.)
WARNER—(2,400) (25c-35c-50c) 7 days. Gross: $11,300. (Average, $4,500)
"Thunder Afloat" (M-G-M)
"These Glamour Girls" (M-G-M)
PALACE — (2,400) (25c-35c-50c) 7 days. Gross: $5,000. (Average, $4,000)
"Rio" (Univ.)
RIVERSIDE—(2,700) (25c-30c-35c) 7 days. Stage: Milt Herth Trio. Gross: $8.000. (Average, $6,500)
"At the Circus" (M-G-M)
"Fast and Furious" (M-G-M)
STRAND — (1,400) (25c-35c-50c) 7 days. Gross: $2,100. (Average, $1,500)
"Babes in Arms" (M-G-M)
"The Escape" (20th-Fox)
WISCONSIN—(3,200) (25c-35c-50c) 7 days, 2nd week. Gross: $5,800. (Average, $5,500)

Guilds Act Tonight On Bioff Invitation

HOLLYWOOD, Nov. 12.—Members of the Inter-Talent Guild Council met last night and while not taking any official action on William Bioff's invitation to sit down and discuss possible wage reductions with producers, established it as a policy that they would not send representatives.

Direct action on the formal refusal of I.A.T.S.E. leaders' bid to such a meeting will be taken Monday night by directors of the Screen Writers, Screen Directors and Screen Actors Guilds.

Starting Sunday Films

GUILFORD, Conn., Nov. 12.—The Guilford Theatre, operated by Leo Schapiro, will have Sunday afternoon films following action by the town authorities to lift the blue law. Schapiro will run one afternoon show at 2:30, beginning Nov. 19.

'Smith' Wins Denver Lead With $13,000

DENVER, Nov. 12.—"Mr. Smith Goes to Washington" played to $13,000 at the Denver. "Dust Be My Destiny" and "No Place to Go" took $5,000 at the Paramount.

Estimated takings for the week ending Nov. 8:

"The Roaring Twenties" (W. B.)
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $3,500. (Average, $3,500)
"Babes in Arms" (M-G-M)
BROADWAY—(1,040) (25c-35c-40c) 7 days, 3rd week. Gross: $3,000. (Average, $2,500)
"Disputed Passage" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days, 2nd week. Gross: $4,500. (Average, $6,000)
"Mr. Smith Goes to Washington" (Col.)
DENVER—(2,525) (25c-35c-40c) 7 days. Gross: $13,000. (Average, $9,000)
"A Day at the Circus" (M-G-M)
"Full Confession" (RKO)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $9,000. (Average, $9,000)
"Dust Be My Destiny" (W. B.)
"No Place To Go" (W. B.)
PARAMOUNT—(2,200 (25c-40c) 7 days. Gross: $5,000. (Average, $3,500)
"The Real Glory" (U. A.)
"Heaven With a Barbed Wire Fence" (20th-Fox)
RIALTO—(878) (25c-40c) 7 days, "Real Glory" 3d week. Gross: $2,500. (Average, $1,750)

New Haven Gives 'Mr. Smith' $10,600

NEW HAVEN, Nov. 12.—"Mr. Smith Goes to Washington" and "Stop, Look and Love" took $10,600 at the Loew-Poli. "First Love" and "Hero for a Day" grossed $6,900 at the Roger Sherman.

Estimated takings for the week ending Nov. 9:

"Babes in Arms" (M-G-M)
"Coast Guard" (Col.)
COLLEGE—(1,499) (35c-50c) 7 days, 2nd week. Gross: $4,500. (Average, $2,700)
"Mr. Smith Goes to Washington" (Col.)
"Stop, Look and Love" (20th-Fox)
LOEW-POLI—(3,040) (35c-50c) 7 days. Gross: $10,600. (Average, $8,000)
"The Cat and the Canary" (Para.)
"It Could Happen To You" (20th-Fox)
PARAMOUNT—(2,348) (35c-50c) 8 days. Gross: $5,500. (Average, $4,000)
"First Love" (Univ.)
"Hero for a Day" (Univ.)
ROGER SHERMAN—(2,200) (35c-50c) 7 days. Gross: $6,900. (Average, $5,000)

Mullin and Pinanski Buy Joelson Circuit

BOSTON, Nov. 12.—M. & P. Theatres Corp. (Martin Mullin and Sam Pinanski) have bought the Joelson Circuit, operated by Julius Joelson. Joelson, over 10 years in the business, retires.

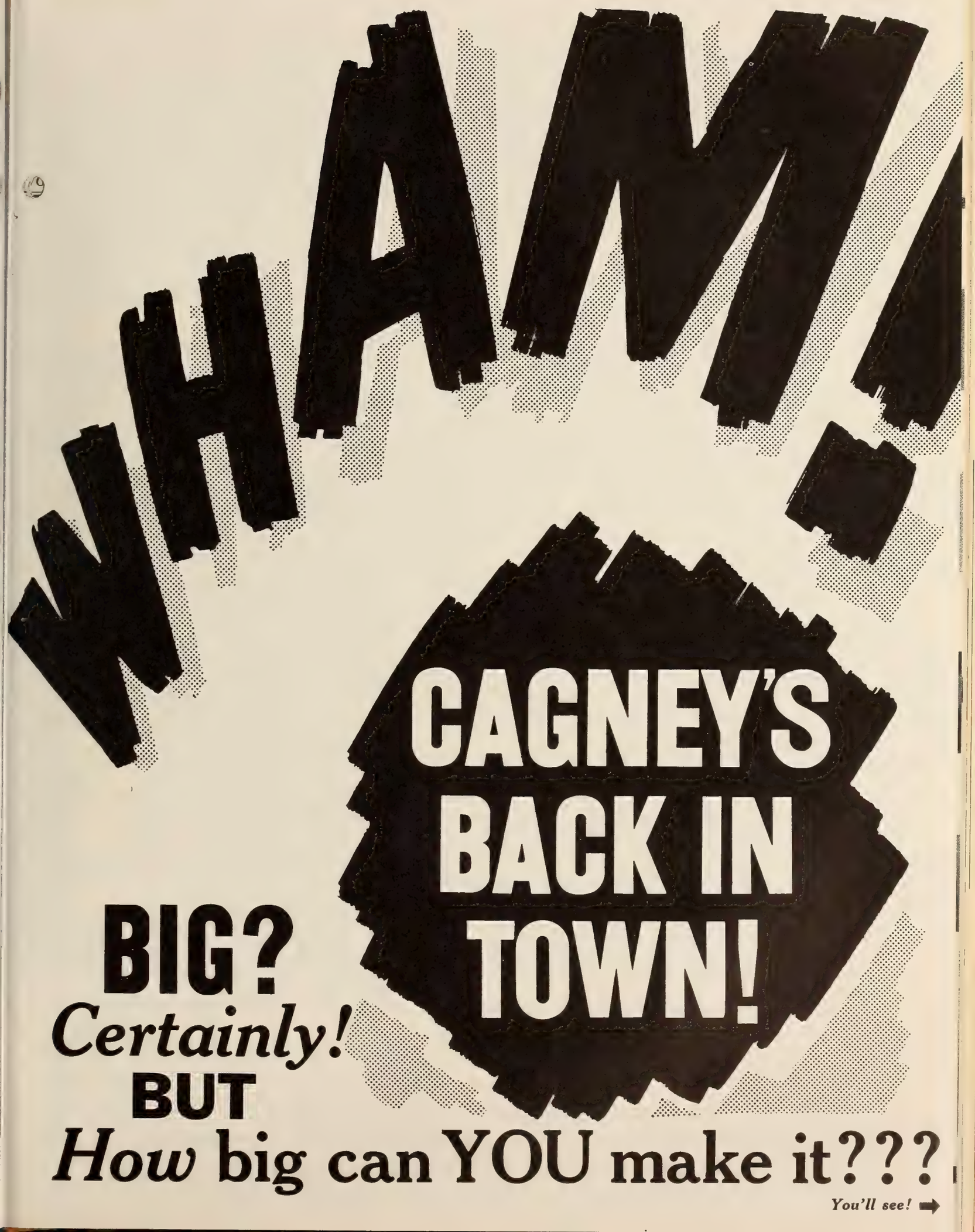
Included in the circuit are five theatres—the Capitol in Arlington, Mass.; Ball Square and Central in Somerville, all suburbs of Boston; the Park in Taunton, 30 miles southwest of the city, and the Elizabeth in Falmouth, on Cape Cod.

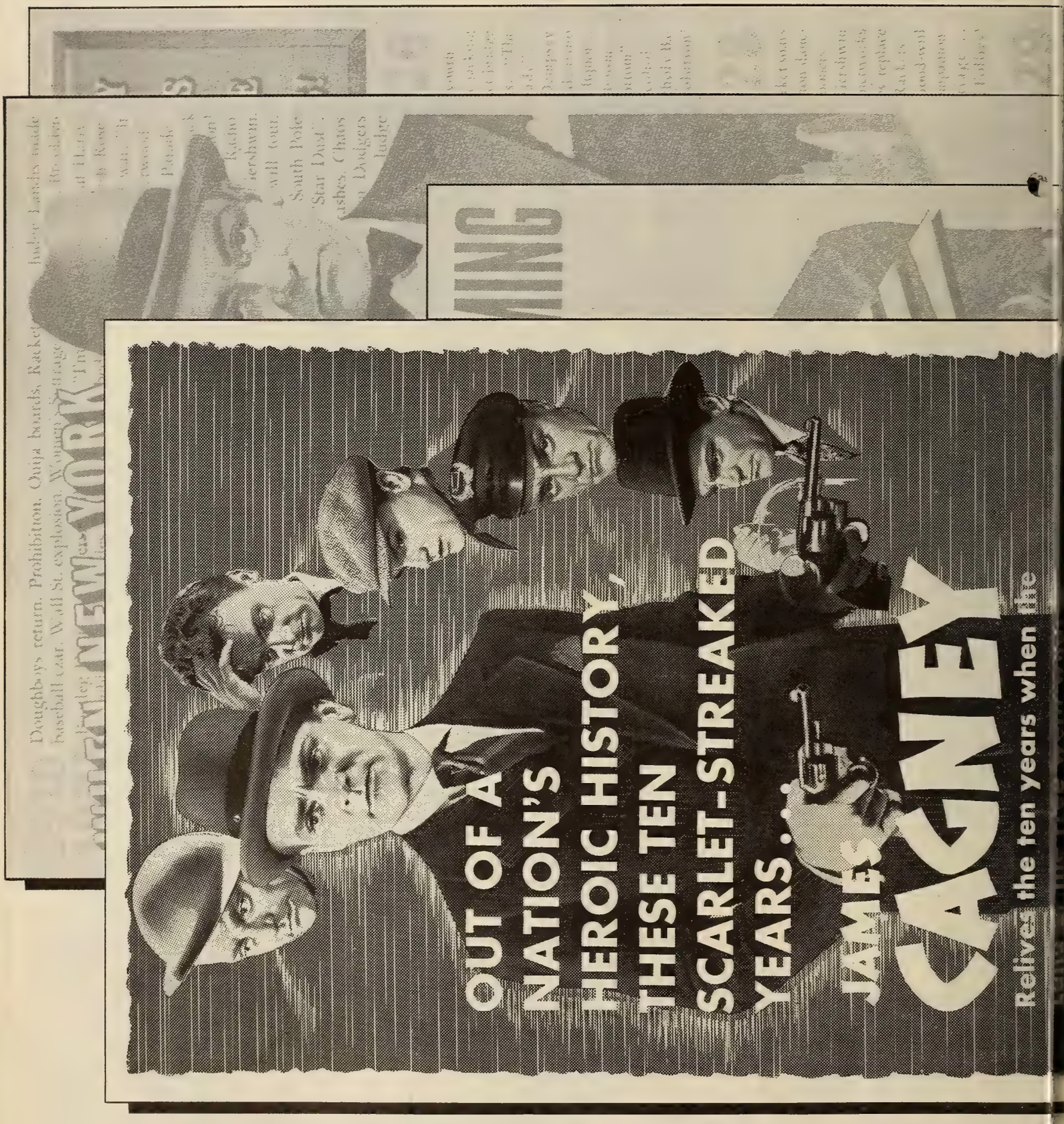
Mitchell Leichter Due

Mitchell Leichter will arrive from Hollywood this week to negotiate for release of "She Goes to War," Eleanor Boardman feature which he has re-edited and scored to meet current world conditions.

New French Film Here

Transatlantic Films has imported a new French film, "L'Emigrante," with Edwige Feuillere as the star.


WHAM!
CAGNEY'S BACK IN TOWN!
BIG?
Certainly!
BUT
How big can YOU make it???
You'll see!



First day doors opened at 8:45 A. M. – and every N. Y. Strand seat was filled 15 minutes later! That's the surest test you could ask for that the Strand put on the kind of heat the public felt! Everywhere business is swell – but it's swellest where the boys sailed in and went out after their full share! Get in on it!

THE PHOTO HERE



TELLS THE STORY OF THE CAMPAIGN HERE

1920 to '29 — when America put on a bullet-proof vest



First day doors opened at 8:45 A. M. – and every N. Y. Strand seat was filled 15 minutes later! That's the surest test you could ask for that the Strand put on the kind of heat the public felt! Everywhere business is swell–but it's swellest where the boys sailed in and went out after their full share! Get in on it!

There are 4 other ads just as powerful as this one! Space prevents illustrating them – *BUT WRITE!* Proofs will be mailed to you pronto!

Address: The Press-book Editor, 321 W. 44th St., N. Y. C.

5 ADS LIKE THIS!

...and the N.Y. Strand is right this minute dollar-for-dollar up to 'Angels'!

DO IT, TOO!

You positively MUST make it your business to see this campaign before you do another thing on this picture! Send for the proofs and order the mats! It's a big angle that pays off big!

QUICK! TURN! ➡

THE PHOTO HERE TELLS THE STORY OF THE CAMPAIGN HERE



When a Company Is B

Like This—*AND* 'THE C



and FLYNN in 'ELIZAE



MUNI'S 'WE ARE NO



Soon)—*AND* 'FOUR W



FIGHTING 69TH' Aft

Company You Need—

g Enough to Have a Hit

LD MAID'–*AND* DAVIS



ETH and ESSEX'–*AND*



T ALONE' (Radio City



VES' (Xmas)–*AND* 'THE

er It––Mister, That's the

WARNER BROS.

JACK L. WARNER *In Charge of Production* • **HAL B. WALLIS** *Executive Producer*

When a Company Is B g Enough to Have a Hit

THE PHOTO HERE



HERE

Like This–***AND*** 'THE OLD MAID'–***AND*** DAVIS and FLYNN in 'ELIZABETH and ESSEX'–***AND*** MUNI'S 'WE ARE NOT ALONE' (Radio City Soon)–***AND*** 'FOUR WIVES' (Xmas)–***AND*** 'THE FIGHTING 69TH' After It––Mister, That's the Company You Need––

WARNER BROS.

JACK L. WARNER *In Charge of Production* • HAL B. WALLIS *Executive Producer*

Wage Parleys Are Resumed By Newsreels

(Continued from page 1)

events and the lavender then exchanged among the other reels. Other union demands were left for later discussion here.

The current conferences were initiated by the union as a direct result of the failure of the reels to put the 10 per cent wage increase into immediate effect. The reels argue that the increase cannot be made effective until the contract negotiations are concluded and the new pact is signed and, in this connection, pointed out that the provisions of the pact will be retroactive to Sept. 1, thereby insuring cameramen against any eventual loss due to delay in completing negotiations.

Only two special events have been covered by the reels since the agreement to eliminate exchange of lavenders and neither of these have served to fully test the practicability or effects of the new agreement. The events were the opening of North Beach Airport and the signing of the Neutrality Bill by President Roosevelt. In the first instance, the event was covered by one camera crew on the ground and another in the air. Lavenders were exchanged but the shots were not used by several of the reels, so that no test of the new regulation was involved.

In the second case, White House regulations specified that only one camera crew would be admitted to cover the signing of the Neutrality Bill. The agreement with Local 644 permits the exchange of lavenders when coverage is restricted to one camera, as in that instance.

Further discussions of the new pact by representatives of the reels and of Local 644 may be held late this week.

Exchange Employes To Ask Wage Boosts

(Continued from page 1)

tions for the new agreement to the designated representatives, who will discuss proposed demands before meeting with the distributors' committee.

Lou Johnson Again To Head N. Y. Local B-51

Lou Johnson, president, New York Local B-51, Film Exchange Employes Union, and Lew Braun, vice-president, have been unanimously nominated for the posts. Other positions are being contested. Elections will take place at a membership meeting at the Capitol Hotel Dec. 4.

This will be a third term for Johnson, who is in charge of the M-G-M shipping department. Braun is with Paramount.

All incumbents are seeking re-election. Other nominations are: For secretary-treasurer, Dave Newman, Warners, and William Lytle, RKO; recording and corresponding secretary, Gerard Lee and Herman Berland, both of M-G-M; sergeant-at-arms, August Kubart, M-G-M, and Harry Bernstein, Warners.

There are 17 nominees for the executive and grievance board, which consists of eight members. Five have been nominated for the board of trustees, three to be elected.

Chicago Independents Plan Revival of Cash Giveaways

By WILLIAM F. CROUCH

CHICAGO, Nov. 12.—Possibilities of a return of cash giveaways in Chicago are being discussed by independent exhibitors who feel that such measures are necessary to stimulate business here.

Three years ago Bank Night and other cash games were ruled illegal, because a city ordinance prohibits games of chance.

Exhibitors believe that if proper action is taken this ordinance can be changed to allow the running of various cash giveaway games under proper supervision. It is understood that the major circuits are generally opposed to this idea.

At one time, when Bank Night and Screeno were used in most local theatres, the weekly cash awards available here totaled about $150,000. That such a situation may exist again is not considered improbable by many independent exhibitors.

Allied Theatres of Illinois, headed by Jack Kirsch, are understood to be very much interested in the possibility of restoring the cash awards. It is reported that several awards, that can be operated legally, are being investigated. Allied men say they must make some move to restore grosses that have fallen sharply in the past few weeks.

"Prosperity Night," a plan similar to Bank Night but ruled legal in Nebraska after Bank Night was held a lottery, may be started in Chicago this Fall. Sam Horowitz of Des Moines is expected here next week to talk over the idea with local promoters.

Asked if his circuit would return to cash awards, John Balaban stated that such a move would not be made unless it was absolutely necessary. B. & K. theatres, he said, are not anxious to see cash giveaways return in any form. Past experience showed that in the long run a straight film policy, without giveaways, is more profitable, he added.

Balaban & Katz theatres and the Warner and Essaness circuits, and other Chicago theatre groups, plan to celebrate both Thanksgiving dates, it was decided this week by theatre executives.

As a great many visitors from out-of-state usually come into Chicago for the Thanksgiving holidays, it was thought wise to make both days a holiday in theatres, although Nov. 23 is the Illinois legal holiday for Thanksgiving.

The Chicago Amusement Publicists Association (CAPA) has disbanded. In its place is the newly-formed Chicago Movie Club. Herb Elisburg of Essaness and Sam Schoenstadt of the Schoenstadt circuit are in charge of the new organization at present.

Warner theatre managers of the Chicago zone held their monthly meeting here Wednesday. James Coston and Charles Ryan presided. The meeting brought managers from Wisconsin and Indiana houses.

Decision of Federal Judge Wilkerson to prohibit telephone or telegraph wire service to Chicago bookies starting Thursday met with the approval of Chicago theatremen who expect the diversion of money, previously spent on horse races, to help theatre business. More than 2,600 handbooks were affected by the decision which means that approximately 7,000 employees of the handbooks will be looking for new jobs or go on relief.

B. & K. plans to hold a cocktail party for Zorina on Tuesday when the dancing star stops over here for several hours, enroute to the Coast. The press party will be held at the Ambassador East hotel.

3 Holiday Releases Set By Paramount

(Continued from page 1)

of a drive by the Paramount sales force for holiday playing time, Agnew said. Each will be given a special exploitation campaign in addition to the planned premieres.

"Geronimo" will have a double world premiere on Nov. 24 at the Orpheum, Phoenix, and the State, Tucson. Thereafter, the picture will open in pre-release engagements in Albuquerque, Denver, Salt Lake City, Cheyenne and special key spots throughout the West and South. A special exploitation staff will handle both the world premieres and pre-date engagements. National release of "Geronimo" has been set for Jan. 12.

"Gulliver's Travels," Max Fleischer's feature length color cartoon, will have its world premiere in Miami on Dec. 17. It will open Dec. 20 at the Paramount, New York, and in other key cities during the holidays.

Plans for the premiere of "The Great Victor Herbert" have not been completed yet, but Paramount is considering a world premiere for Weatherford, Texas, home town of Mary Martin, singing star, who makes her screen debut in the picture. This plan would include a nationwide radio hookup on which Miss Martin and her co-star, Allan Jones, would be featured.

Allied Units Called To Regional Parley

PHILADELPHIA, Nov. 12.—An Eastern regional conference of Allied States units will be held here tomorrow at the office of the Allied I.T.O. of Eastern Pennsylvania. Francis C. Lydon, of Boston, Eastern regional vice-president, will be in charge.

Units to be represented, in addition to the local one, include the Independent Exhibitors of New England, as well as Connecticut, New Jersey, Maryland and Washington, D. C.

Among those attending will be Arthur Howard of Boston, Sidney Samuelson of Philadelphia, Lee Newbury of New Jersey and E. Thornton Kelly of New York.

Dub Two in Turkish

Permission has been granted to Kemal Film, RKO distributor in Turkey, to dub "Room Service" and "Gunga Din" in the Turkish language, according to word received at the home office from Reginald Armour, Continental general manager.

Short Subject Reviews

"Information Please, No. 3"

(RKO Pathe)

Number Three is the liveliest of this sparkling series. With Clarence Buddington Kelland as a special guest, the experts go to town on a wide variety of questions. High spot is F.P.A.'s yodeling of a once-popular ballad of the '90s. The experts appear to have lost their camera shyness and are adding acting to other accomplishments. Running time, 10 mins.

"American Royal"

(RKO Pathe)

The annual American Royal livestock show at Kansas City forms the background for this "Reelism." Starting with a brief summary of the methods of transporting cattle to preserve the weight of the beef, the reel turns to the American Royal show where all kinds and classes of livestock are exhibited. Particularly interesting are the varied classes of horses which include draft horses, jumpers, hunters, coach horses and saddle horses. Running time, 9 mins.

Hear $1,000,000 Fox Suit Over Plagiarism

WASHINGTON, Nov. 12.—Trial of the $1,000,000 plagiarism suit against 20th Century-Fox in the Federal District Court here is expected to be concluded late this week.

The plaintiff is Robert Sheets, formerly of Jackson, Tenn., who claims that "Road to Glory" was based on a story which he wrote. The film was released in 1936.

Sheets admitted on the stand that he read a serialization of the story in a fan magazine. Counsel for the company claims that he copied it.

Sheets contradicted himself during his testimony, which at one point brought an admonition from Judge James W. Morris that he be "frank with the court."

E. P. Kilroe, copyright attorney for 20th Century-Fox, and Fulton Brylawski and William Wolf are counsel for the company.

Charles Chaplin Sues

Suit for an injunction to restrain reproduction of prints of the films, "Shoulder Arms" and "The Kid," was filed Friday by Charles Chaplin in U. S. District Court against Harry Jacobs, trading as the Garden Camera Exchange. Chaplin charged the defendant with manufacturing and selling regular and 16 mm. size films to the public without his permission.

M-G-M Wins Appeal

LONDON, Nov. 12.—M-G-M on Friday won their high court appeal from the judgment of £3,400 (about $13,500) awarded last March to Elizabeth Allen. The actress had sued for alleged breach of a contract she claimed to have signed with M-G-M, calling for her appearance in a role in "The Citadel," made by M-G-M in England.

"STUDENTS!"

"WHAT'S THE ONE BIG REASON FOR TWO THANKSGIVING DAYS THIS YEAR?"



RKO RADIO SAYS IT'S

KAY KYSER

THE OLD PROFESSOR HIMSELF...AND

ADOLPHE MENJOU

IN

"THAT'S RIGHT—YOU'RE WRONG"





WITH

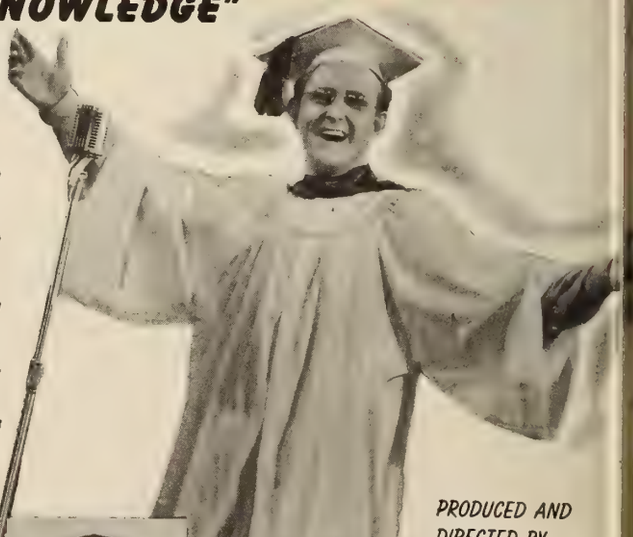
MAY ROBSON • LUCILLE BALL • DENNIS O'KEEFE
EDWARD EVERETT HORTON
ROSCOE KARNS • MORONI OLSEN

AND **KAY KYSER'S BAND** FEATURING

GINNY SIMMS • HARRY BABBITT
SULLY MASON • ISH KABIBBLE

AND "THE COLLEGE OF MUSICAL KNOWLEDGE"

The Old Professor himself...with the biggest bunch of great picture names you ever spilled over your marquee...in a laugh-swing-story sensation built for the biggest business your theatre can play to!











PRODUCED AND DIRECTED BY
DAVID BUTLER
SCREEN PLAY BY
WILLIAM CONSELMAN
AND JAMES V. KERN

RKO RADIO PICTURES

Radio Programs

Mutual will inaugurate a new Tuesday series, "Ned Jordan," tomorrow at 8 P. M. to replace the "Green Hornet" which will be heard Thursdays and Saturdays at 8 P. M. over NBC-Blue. Mutual ran the "Green Hornet" for 20 months but was unable to find a sponsor. WXYZ, Detroit, is producing both shows. . . .

Music appreciation, European developments, philosophy and education, a poetry hour, a drama hour, debates, round table discussions, and forums on current events will feature the WEVD "University of the Air" schedule which gets under way tomorrow at 10 P. M. Two programs per night are scheduled for Tuesdays, Wednesdays, Thursdays and Sundays, with three on Fridays. The time varies. . . .

National Labor Relations Board has started a series of weekly talks over KQV, Pittsburgh. . . . Hilary Denley Kuhl, formerly with WOWO, Fort Wayne, starts a quarter-hour children's program over WJSV, Washington, at 3:45 P. M. today. She will be heard Mondays, Wednesdays and Fridays. . . . Paul Sullivan's news broadcasts over CBS have been shifted to 12 midnight. They continue to originate from Louisville and will be heard Sundays through Fridays. . . .

Maj. Leonard H. Nason launches a new weekly series over Mutual tonight at 9:15 P. M. The program will be devoted to military analysis. . . . WHN will air mah jong instructions Tuesdays and Thursdays at 11:15 A. M. Dorothy Meyerson will conduct the five-minute series. . . .

KMOX, St. Louis, is picking up backstage interviews on opening nights at the American Theatre, a legitimate playhouse. . . . Triumph Building & Loan Association is sponsoring five 10-minute participations in WNEW'S "Music Hall" for 26 weeks. . . .

Starting its 10th season on CBS, the Philharmonic concerts for young people airs its first program Saturday at 11:05 A. M. Six programs are scheduled, one each month through April. . . . The Cleveland Institute of Music will start a series of six Tuesday programs over CBS, starting tomorrow at 4 P. M. . . . Grant Furniture Co. is sponsoring five 10-minute musical programs for 52 weeks over WNEW. . . .

Les Concerts Symphoniques de Montreal, directed alternately by Wilfred Pelletier and Sir Ernest MacMillan, will broadcast a series of symphonic programs from Canada over Mutual Tuesdays at 10:30, starting tomorrow.

KCMO Power to Go Up

KANSAS CITY, Nov. 12.—KCMO will go on the air Jan. 1 with 5,000 watts in place of its present 1,000. The F. C. C. has granted the increase in power, which will be made effective about the time the Transcontinenal Broadcasting System, Inc., new national hookup of which KCMO is a member, will begin to function.

Macy Parade Televising

NBC will send its mobile television units to pick up the Macy parade on Thanksgiving Day. The parade which features giant balloon caricatures will have Pinnochio as its leading character this year.

Hollywood Review

"The Covered Trailer"

(Republic)

HOLLYWOOD, Nov. 12.—The Higgins Family, as represented by James, Lucile and Russell Gleason, with Harry Davenport as "Grandpa," and Mary Beth Hughes and Tommy Ryan rounding out the family group, undergoes a diverse series of adventures and misadventures stemming from a projected trip to South America.

Unable to face their friends at home when the trip has to be cancelled, the family embark on a trailer trip. Meanwhile, the boat on which they were to have sailed is torpedoed, and the head of the house of Higgins is thought to have been an embezzler.

The story is brought to a happy conclusion after all possibilities of the pursuit motif have been exhausted by director Gus Meins, who worked from a screenplay by Jack Townley.

Third in the series of Higgins Family films, "The Covered Trailer," should fit easily into the same billing category as its predecessors.

Running time, 63 minutes. "G."*

**"G" denotes general classification.*

Radio Fans Show Strong Sympathy

NBC studios have been swamped for the past week because of the illness of "Poppa David," played by Ralph Locke, in "Life Can Be Beautiful," a daytime serial. "Poppa" is supposed to be suffering from a heart attack and listeners from as far away as Philadelphia have been phoning to give home remedies and criticize "Dr. Markham" who is treating "Poppa."

Du Pont 9-Month Net Is $1,244,229

Du Pont Film Manufacturing Corp., has reported net profit after all charges for the nine months ended Sept. 30, 1939, of $1,244,229.97, compared with $929,388.46, for the corresponding period of 1938. The stock of Du Pont is held 65 per cent by E. I. du Pont de Nemours & Co. and 35 per cent by Pathe Film Corp.

The company reports net profit for the third quarter after all charges of $417,817.27, compared with $290,425.27 in the corresponding period in 1938.

On Telecast Program

Rube Goldberg, Lowell Thomas, Col. Theodore Roosevelt, Gene Tunney, Capt. Eddie Rickenbacker and Benjamin Winchell, president of Remington Rand, scheduled to appear on Tex O'Rourke's "Roundup," a variety show telecast by NBC Wednesday from 8:30 to 9:30 P. M. Following the show, two hours of amateur bouts from the Ridgewood Grove Arena will be telecast.

Named NBC Host

John Almonte, assistant to the president at NBC, has been transferred from the World's Fair to the New York studios where he will act as official host of the network in the evenings.

Rice Joins Select

Harry Rice, formerly with United Artists, has been engaged by Select Attractions, Inc., to exploit "Return of the Frog" and "Demon Barber of Fleet Street."

Spain Vests Films Rule in Committee

BARCELONA, Nov. 12.—The Spanish Government has ordered the establishment of a subcommittee within the Ministry of the Interior to exercise control of the film industry. The committee will be composed of representatives of laboratories, writers and actors, but producers and distributors will not be represented.

A high ranking official of the Ministry of Commerce, in a recent article in a semi-official Madrid paper, attacked a memorandum of the Film Board in which it was claimed that Spain is exporting 200,000,000 pesetas annually, or 50 per cent of the gross revenue of the country's film theatres. A protest followed from responsible bodies within the industry, standing by the figures as published in the memorandum.

Completing Details For Kyser Opening

ROCKY MOUNT, N. C., Nov. 12.—Preparations are nearly complete for the world premiere at the Center here on Wednesday of the RKO film starring Kay Kyser, "That's Right, You're Wrong." The Carolina also will show the picture. Kyser will make his regular weekly NBC broadcast from the stage of the Center prior to the showing of the film.

Following the broadcast Kyser will play for the town's population in a tobacco warehouse. A half-hour of the dance music will be broadcast over NBC. Kyser attended the local high school and the University of North Carolina. H. S. Orr, manager of the Center, is in charge of arrangements.

Serial on 57 Stations

The largest exclusively NBC-Blue network has been lined up for "Young Dr. Malone," a new serial to be heard Monday through Friday at 11:15 A. M. Fifty-seven stations will be used, starting Nov. 20. General Foods is sponsor.

Theatre Firm Dissolved

ALBANY, Nov. 12.—Empire State Theatres, Inc., has filed dissolution papers with the Secretary of State here.

Radio Personals

Elaine Barry will join the cast of "Society Girl" tomorrow, in her first dramatic role of the airwaves. The program is heard Mondays through Fridays at 3:15 P. M. over CBS. . . . Benny Friedman, former All-American quarterback, made his debut as a sports commentator yesterday over WMCA. He will be heard Sundays at 10 A. M. in "The Sunday Morning Sports Page." . . .

Lillian Okum is producing "My Daughter and I," dramatic serial heard Monday, Wednesday and Friday at 11:15 A. M. over WHN. Miss Okum is also playing the role of "Jean Ashley." . . . Robert Colby has joined the announcing staff at WHN. . . .

Desire Defauw, Belgian conductor who will replace Arturo Toscanini as director of NBC Symphony Orchestra from Dec. 9 to 30, is due to arrive in New York on Dec. 2. After Defauw, Bernardino Molinari and Bruno Walter will follow, with Toscanini due to return on March 16. . . .

J. P. McAvoy, the humorist, will be guest of "Information, Please" Tuesday, Nov. 21, at 8:30 P. M. over NBC-Blue. . . . Dr. Ernest A. Hooton, of Harvard, and Dr. M. F. Ashley-Montagu, of Hahnemann Medical College, will discuss "Should We Ignore Racial Differences?" on Thursday's "America's Town Meeting of the Air" over NBC-Blue at 9:30 P. M. . . .

Laurence Olivier and Katherine Ellis will play the leading roles in a dramatization of "Goodbye, Mr. Chips" in the Lux "Radio Theatre" over CBS Monday, Nov. 20, at 9 P. M. . . . Don Phillips, KMOX, St. Louis, announcer and A.F.R.A. official, who suffered a brain concussion in an automobile accident recently, is back on the job. . . .

A. Louis Read, former merchandising manager for WWL, New Orleans, has been promoted to the post of commercial manager. . . . Doc Rockwell will be guest of Fred Allen over NBC-Red Wednesday at 9 P. M. . . .

Henry Nagorka, former Warsaw announcer, has joined the staff of WHOM, Jersey City. . . . Federico Longas has returned from a Latin American concert tour where he was piano accompanist for Tito Schipa. . . . Helen Hayes' mother, Katherine Hayes Brown, will be guest on Gabriel Heatter's "We, the People" program tomorrow at 9 P. M. over CBS.

New 50,000-Watter

CBS tomorrow will salute its affiliate station, KWKH, Shreveport, La., on the occasion of the station's rise from 10,000 to 50,000 watts. Heard on program will be Raymond Scott, Nan Wynn, Jerry Cooper, Paul Whiteman's "Modernaires," Bob Trout and Mel Allen.

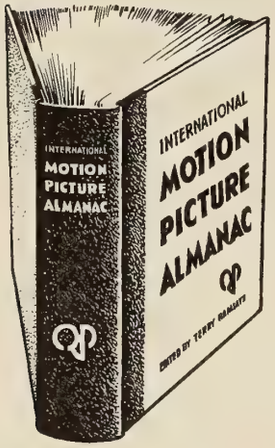
'Night of Stars' on Air

WHN will broadcast the United Palestine Appeal benefit, "The Night of Stars," from Madison Square Garden Wednesday from 9:45 P. M. to 1 A. M. The station is donating the time. Funds received from the sponsor, I. J. Fox, will be turned over to the drive committee.

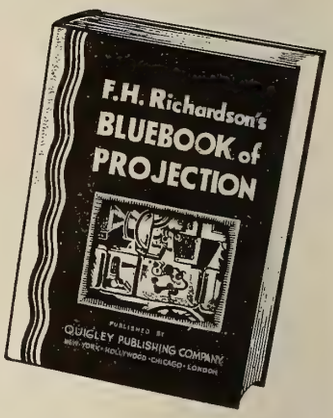
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1939-40 edition now in circulation. Worldwide in scope. Completely covers every branch of the business. Who's Who section alone records over 11,000 biographies. The industry's most exhaustive reference manual..... **$3.25** POSTPAID



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Motion Picture Sound Engineering—the most advanced sound manual to date. Prepared by the country's leading sound engineers. 547 pages, explaining every detail of apparatus. Profusely illustrated with diagrams, tables, charts and graphs. ..... **$6.50** POSTPAID



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ROCKEFELLER CENTER, NEW YORK

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 95 NEW YORK, U. S. A., TUESDAY, NOVEMBER 14, 1939 TEN CENTS

Push Playing Time, Zanuck To Exhibitors

Deplores Fabian's Act in Pulling 'Drums'

Darryl F. Zanuck, vice-president in charge of production of 20th Century-Fox, in an open letter to Simon Fabian, head of the Fabian Circuit, asks exhibitors to cooperate by giving extended playing time to worthy motion pictures.



Darryl F. Zanuck

Zanuck calls exhibitor attention to the mounting obstacles in production. Not only has company income suffered because of the European war, but the cost of production has doubled in the last 18 months, he explained.

In his letter, Zanuck deplores that a big picture such as "Drums Along the Mohawk," was pulled at Proctor's, a Fabian theatre at Schenectady, after the sixth day of the film's performance despite the fact that it was still making excellent money.

'Cutting Own Throats'

In pulling such money pictures, Zanuck points out, exhibitors are cutting their own throats because producers will be compelled to "depend upon smaller, lower price pictures."

Zanuck's letter to Fabian follows:

"It has just been called to my attention that you grossed $6,812 at your Proctor's Theatre in Schenectady and that you pulled the picture after the sixth day despite the fact that 'Drums Along the Mohawk' in six days grossed more than 'Hollywood Cavalcade,' 'Stanley and Livingstone,' 'The Rains Came,' and even more than 'Alexander's Ragtime Band,' which was the biggest grossing picture of last year from any company. More remarkable is the fact that 'Drums Along the Mohawk' grossed more in six days than 'Alexander's Ragtime Band' grossed in seven days.

"It is incredible to think that any exhibitor possibly could be so short-sighted as to pull out a big picture when it is still making excellent money, thereby depriving his own theatres of additional revenue and con-

(Continued on page 6)

Koster in Defense Of Studio Methods; Answers Critics

By SHERWIN A. KANE

There can be no appreciable production economies under the existing Hollywood system without injury to picture quality, in the opinion of Henry Koster, Universal director, who is in New York from Hollywood.

Koster has directed all of Deanna Durbin's pictures. The latest is "First Love."

Commenting on current industry efforts to reduce costs in order to offset losses of European revenue, Koster voiced the belief that Hollywood competition for recognized talent makes any appreciable reduction of picture cost impossible. A cure for high prices commanded by talent might be found in an industry agreement limiting the salaries paid, he said.

Koster mentioned the sum of $1,000 per week which, he said, he believes

(Continued on page 2)

$80,000 'Ninotchka' Gross in Five Days

Broadway theatre men report that grosses over the Armistice Day weekend exceeded those in previous years. The holiday attracted thousands of visitors to the Times Square area.

The biggest figure reported is that of $80,000 for the first five days of "Ninotchka" at the Radio City Music Hall. At this pace, the picture should

(Continued on page 2)

Ballet Sets Record Gross in New York

The ballet has caught up in popularity with the films, legitimate stage and band shows on Broadway, according to box-office figures for S. Hurok's Ballet Russe de Monte Carlo.

A gross of $145,000 for its three and a half week run at the Metropolitan Opera, which ends Sunday, is indicated. This figure is a new all-time high for dance fare in the United States.

St. Louis, Milwaukee Admissions Reduced

Admission prices have been reduced at four St. Louis major first run houses and there is a current trend toward lower admissions in the Milwaukee territory.

The four St. Louis houses have slashed prices by 15 cents nightly, except Saturday, Sunday and holidays. It is the first cut in many years in St. Louis and the top price for weekday nights—40 cents—is the lowest price for a first run theatre there in recent years.

The theatres affected are the Fox, Missouri and Ambassador, operated by Fanchon & Marco, and Loew's State. The Fox and Missouri are in the midtown area, and the Ambassador and Loew's are downtown.

Managers explained that it was de-

(Continued on page 8)

"Another Thin Man"

[Metro-Goldwyn-Mayer]

HOLLYWOOD, Nov. 13.—Here they are again, Ladies and Gentlemen of Showbusiness, the William Powell, Myrna Loy and Asta of "The Thin Man" (1934), of "After the Thin Man" (1937) and of pleasant box-office memory everywhere and always. Here is, in short, M-G-M's answer to incessant exhibitor and public demand for "another 'Thin Man'," most appropriately entitled "Another Thin Man." Here is a natural.

There ought to be some special sort of Academy award for the very special ability of such a man as Hunt Stromberg to recapture, over years-long lapses punctuated by sharply different triumphs, the special spell of such a fiction as was the first of the Dashiell Hammett pictures, was the second, and is the third. This one is as of-a-piece with the others as if produced next day. It has the same sparkle, sheen and slant, the same glib dialogue, gliding movement, the same good-humored approach and facile rebound. These delighted the customers in 1934, again in 1937, wherefore there would be less than no reason to suspect them to do else in 1939.

In view of the wide and various publicity given Powell's long absence

(Continued on page 7)

Majors Doubt Shift of Studio Work to N. Y.

LaGuardia Pushes Fight; Claims Coast 'Facts'

Production executives in New York see little possibility of even 10 per cent of West Coast production being transferred to New York, despite Mayor LaGuardia's and the Eastern labor unions' campaign to bring that about, it was evident from inquiries made yesterday among leading producing companies.

If the practical advantages of production here were of any real weight, it was said, the East would have had its share of production long since, as it has always had its sincere champions, enthusiastic promoters and the facilities for it. New Jersey, Bronx and Brooklyn production activities died natural deaths, in industry opinion.

"They were neither sentenced nor ganged-up on," one official put it.

The Mayor and the unions were commended for their zeal, and local pride on all sides but, film men pointed out, it takes more than that to over-

(Continued on page 6)

Label Propaganda Films—Roosevelt

CHICAGO, Nov. 13.—Propaganda pictures should be so labeled, James Roosevelt told 2,200 persons tonight in an address on "Motion Pictures—Entertainment or Propaganda?" before the Sinai Temple Forum.

Highlights of the speech follow:

Motion pictures definitely should be either entertainment or propaganda and not a mixture of both.

Success of the film industry is financially dependent upon making entertainment films. Education and propaganda pictures, though necessary, are secondary.

Labelling of propaganda films would help rather than hinder their boxoffice appeal. Roosevelt said the public likes such pictures, but moviegoers don't want them disguised as entertainment.

Better public relations are needed. Research departments to find why pictures fail or succeed are also necessary and will come eventually as they have in other industries.

Higher standards of business, too, are required in the film business,

(Continued on page 8)

Koster Gives Views On Studio Economy

(Continued from page 1)

to be "enough for anyone," as a possible maximum.

"The only alternative would be an increase in the number of box-office stars," he said. "The industry develops very few new stars. There are new faces, yes, but they are not the ones who have the drawing power and command the higher salaries. The same, in a measure, is true of the supply of producers, directors and writers. The salaries of the successful ones cannot be reduced because they are too much in demand."

Replying to the frequently heard observation that Hollywood might turn out better pictures at lower costs by utilizing good, but inexpensive stories, with a capable cast of moderate-salaried players, Koster said that the advocates of this system were "not thinking the thing through."

"You get a successful picture from the combination they suggest and as soon as you do, the value of all of them is increased immediately," he pointed out. "Thus, if you attempt to make a second picture with the same combination, your costs—for writer, director, cast and, even, cameramen,—will be trebled or quadrupled.

"The only way in which that system could be made to work would be by finding new people for every picture you started out to make inexpensively."

Answering another criticism of Hollywood—that costs are unnecessarily increased by delays in starting productions and changes in scripts after shooting has begun—Koster said that while such incidents may be called "waste" by a producer, they are called "picture insurance" by the director responsible for them.

"No director deliberately wastes money," he said. "If he thought he could benefit a picture either by more careful preparation or by changes in scripts and failed to do either, it wouldn't be said for him that he 'was saving money.' It would simply be said that he didn't know his business and eventually he'd be out of a job.

"The only safe production economies are the picayune ones, such as using six carpenters instead of eight on a set," he concluded.

It's Talent

Albany, Nov. 13.—Mrs. M. A. Silver, wife of the Warner upstate zone manager, is an accomplished violinist who became a member of the famous Albany Symphony Orchestra, playing at their regular recitals. Four-year-old daughter Barbara also is a violinist.

UA Stockholders In Meeting Today

Alexander Korda will remain in Hollywood several weeks. He will be represented at the United Artists annual stockholders meeting here today by his American representative, Emanuel Silverstone.

Others who will attend today's meeting are Charles Schwartz, representing Charles Chaplin; Dennis F. O'Brien, representing Douglas Fairbanks; James Mulvey, representing Samuel Goldwyn, and Edward C. Raftery, representing Mary Pickford.

The meeting here will be "routine," according to company officials.

Midwest Business Good, Scully Finds

Theatre attendance in the midwest is showing definite improvement as a result of better business conditions throughout the area, W. A. Scully, Universal vice-president and distribution head, said yesterday on his return to New York from a business trip to Chicago, Milwaukee and Minneapolis.

Scully conferred with Warner circuit officials in Milwaukee on a product deal for the houses there.

Associates' Meeting

Motion Picture Associates will meet at the Astor tomorrow noon. Business end of the MPA Journal to be issued in conjunction with the Nov. 25 dinner-dance will be discussed.

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Purely Personal

HERBERT J. YATES, and JAMES R. GRAINGER, president of Republic, returned over the weekend from a flying business trip to Chicago, Dallas, Atlanta and Washington.

•

WILLIAM F. RODGERS, RALPH COHN, CHARLES E. MCCARTHY, SAM SHAIN, BEN PIAZZA, RUSSELL HOLMAN, JOHN HICKS, TOBY GRUEN, MAX A. COHEN, TOM CONNORS and JEROME KERN at Nick's Hunting Room in the Astor for lunch yesterday.

•

WILLIAM KENNEDY, veteran exhibitor who has been ill, will leave this week for Miami. KENNEDY owns the Lyceum, Champlain and Lyric, Rouses Point, N. Y.

•

ABRAHAM I. KINDLER, president of Empire State M. P. Operators Union, is recuperating in Manhattan General Hospital from a recent appendicitis operation.

•

JACK GOETZ, JOSEPH MOSKOWITZ, IRVING BERLIN, JACK DENNY and JOSEPH PINCUS lunching at Lindy's (51st St.) yesterday.

•

JOSEPH MARKOV, Colchester, Conn., exhibitor, is the father of a five and one-half-pound girl, born to MRS. MARKOV.

•

JOHN X. QUINN, manager of the M-G-M exchange in St. Louis, is the father of a daughter, born to MRS. QUINN last week.

•

TED KRASSNER, buyer and booker for the Cinema Circuit, and JACQUELYN LASOFF are to be married in January.

•

JANE BRYAN leaves Hollywood today for New York. She plans to remain here until early in December.

•

NAT HOLT, division manager of RKO Theatres, is in town from Cincinnati for a few days.

•

JACK MUNDSTUK, M-G-M salesman in Pittsburgh, is the father of a boy, born last week to MRS. MUNDSTUK.

•

JACK COHN, Columbia vice-president, plans to leave for the Coast within a few days.

•

TONY MARTIN arrived from California yesterday.

•

JOHN BALABAN is in town from Chicago.

Leahy Joins Engraver

Tim Leahy is now associated with the Johnny Eggers Prismatic Engraving Co.

For Lunch, Dinner or Supper

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$80,000 'Ninotchka' Gross in Five Days

(Continued from page 1)

gross an estimated $104,000 for the week. The picture will hold over.

"The Roaring Twenties" at the Strand, and "Drums Along the Mohawk" at the Roxy are running almost neck-and-neck. It is the second week for the latter picture, which grossed an estimated $35,000 for the first four days this week. "The Roaring Twenties" did $36,000 for the same period.

"Rulers of the Sea" at the Paramount should do about $43,000 for the week, having grossed $20,000 over the weekend.

"Goodbye Mr. Chips," which ended a 26-week run at the Astor, closed Sunday night with $6,100. "Mill on the Floss," an independent, opens there today.

Director Nicholls Dies in Car Crash

HOLLYWOOD, Nov. 13.—George Nicholls, Jr., 42, was killed instantly today when his car plunged off a road in Coldwater Canyon while enroute to the Lake Sherwood location where he was directing "Marines Fly High" for RKO. With him was his sister-in-law, Miss Acta Barnett, who was taken to a hospital with injuries believed not to be serious. The director is survived by a wife and two children. His last previous work was Republic's "Man of Conquest."

Edmund Grainger Plans Own Films

HOLLYWOOD, Nov. 13.—Edmund Grainger, former Universal producer, is enroute to New York, where he will remain for a week or 10 days on business. Grainger plans to set up an independent production company, making two or three films annually. In six years he produced 50 pictures for Universal.

Golden to Entertain

John Golden, Broadway producer, is giving a cocktail party at the Seven-Eleven Club this afternoon to members of the Artists and Writers Association. The first of an annual series of awards will be made to the member who contributes the best art work, and the member who writes the best published story.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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How come the reports from the whole nation:

"DRUMS ALONG THE MOHAWK" IN RELEASE-WEEK RUNS THROUGH-OUT THE COUNTRY TOPPING "RAINS CAME" AND EVEN "ALEXANDER'S BAND" MARKS!

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Kay Kyser broadcasting his regular program over the NBC *Red* Network of 104 stations at 10 P.M. . . . and at midnight an NBC Special Feature broadcast over WJZ and a coast-to-coast *Blue* Network of the monster celebration! . . . PICTURE PRESENTATION AT TWO THEATRES! . . . Barn dance for 10,000 at gigantic tobacco warehouse! . . . State and municipal dignitaries, societies and clubs . . . parades, welcomes, dinners, big doings of all kinds!

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RKO RADIO PICTURES

Two Columbia London Chiefs Confer in City

Irving Asher, Columbia production head in London, and Joseph Friedman, managing director of the company's London office, arrived in New York from the Coast by plane yesterday for home office conferences.

The two came here recently from London to discuss future activities there with Harry Cohn, Columbia president, and Jack Cohn, vice-president.

Pending determination of new wartime regulations affecting production in England and the withdrawal of money from the country, no final arrangements are likely to be made for the company's future production activities in England, it was said. The two officials are in New York for a stay of indefinite duration.

On the conclusion of the conferences here with Cohn, Joseph A. McConville, Columbia foreign manager, and other members of the company's foreign department, Asher will accompany Jack Cohn to the Coast for final discussions.

Ramsaye on Air; Studios Publicized

"The history of the motion picture is a good example of the results of the democratic process in America today," Terry Ramsaye, editor of *Motion Picture Herald,* declared in an interview with David Lowe over WNEW yesterday.

Ramsaye traced the history of films for Lowe on the occasion of the second anniversary of the latter's "Soundtrack" program.

Starting today, Lowe will devote his next 10 programs to saluting the principal film companies.

M-G-M will be saluted today at 12:15 P. M., Universal tomorrow, RKO Thursday, 20th Century-Fox Friday, Monogram Saturday, Columbia Monday, United Artists Tuesday, Nov. 21, Warners Nov. 22, Paramount Nov. 23, and Republic Nov. 24.

Warner Sales Meet Discusses Shorts

San Francisco, Nov. 13.—A two-day sales conference of all Warner West Coast district exchange managers closed here today, with Norman Moray, short subject sales manager for Warners, describing forthcoming product. The meeting was presided over by W. E. Calloway, West Coast district sales manager, whose headquarters are in Los Angeles.

Moray went to Hollywood to confer with Jack L. Warner, Hal B. Wallis and Gordon Hollingshead. Hollingshead, who supervises short subject production, plans to complete the entire 1939-40 program early in January.

Quits Barcelona Post

Barcelona, Nov. 13.—J. W. Dolphin has resigned as head of Western Electric's subsidiary here, and has been replaced by D. L. Brown, former manager of the Paris branch, and former director of the public relations department of W. E. in London.

Give Films Extended Time, Zanuck Urges Exhibitors

(*Continued from page* 1)

sequently cutting the fair return to Hollywood.

"If 'Drums Along the Mohawk' had shown a tendency to peter out during its run there might have been some slight justification, but the fact remains that the six-day run did much more business than did the seven days on 'Alexander's Ragtime Band,' a picture that grossed over $3,000,000 in America alone.

"Mr. Fabian, do you realize that we at the studio cooperated with you in opening at your theatre in sending you personalities for your opening day engagement?

"Do you realize there is a war in Europe, and that we, the producers and distributors, face a tremendous loss in foreign revenue?

"Do you realize that already because of currency deflation and frozen currency in the foreign market, we have lost in Europe almost one-third of our year's gross and that there is no indication of what may come along these lines with each day some new government placing financial restrictions on us and forcing us to realize more and more that we must depend only on America for our revenue?

Do you realize, Mr. Fabian, that the cost of producing moving pictures is double what it was eighteen months ago?

"Do you realize, Mr. Fabian, that receives a higher percentage of payment on each individual production than do the stars themselves, and that cost of building material and equipment makes it impossible for us to produce a big picture subject at a reasonable price?

"Mr. Fabian, if the exhibitors of America do not realize these very important matters and do not prepare to do their share in encouraging and aiding us of the studios, then it is going to be a sorry day for the exhibitors of America.

"If producers find that they cannot at least break even, then naturally, they cannot be expected to take the fabulous financial gambles that we are forced to take today. If the rest of the American exhibitors pull any picture when it is doing legitimately fine business, then, in my opinion, they will be cutting their own throats because the producers are eventually going to come to the realization that they will have to depend upon smaller, lower price pictures, as it is impossible to expect us to take the gamble without fullest cooperation from every exhibitor and theatre manager in the nation.

"Mr. Fabian, there is no conceivable excuse for your action, and I am writing you this open letter in the hope that it will awaken response from exhibitors so that moving pictures worthy of extended engagements will be given same and so that they will be permitted to earn for you and for us every dollar that they can in your territory so that a proper share of that money can be returned to Hollywood to be used to make other pictures just as fine and fitting as 'Drums Along the Mohawk.'"

RKO Officials Going To Kyser Premiere

Ned E. Depinet, vice-president of RKO, will head a delegation of home office executives leaving tonight for Rocky Mount, N. C., for the Kay Kyser homecoming celebration and opening tomorrow of Kyser's "That's Right, You're Wrong."

George J. Schaefer, RKO president, will go directly to Rocky Mount from Florida. With Depinet will be Cresson E. Smith, western and southern sales manager; S. Barret McCormick, director of advertising and publicity, and Ken Hallam of the publicity department. David Butler, producer and director of the film, will arrive today from the Coast with Mrs. Butler and will leave with the executives tonight.

Competing Station Wins FCC Permit

Washington, Nov. 13.—A possibility that an existing broadcasting station may be adversely effected economically by establishment of a new station is not sufficient basis for refusal of a construction permit by the Federal Communications Commission, it was held today by the District of Columbia Court of Appeals.

The court's opinion was rendered in dismissing an appeal by the Tri-State Broadcasting Co. from a decision of the commission granting a license to Dorrance D. Roderick for a new station at El Paso, Texas, which Tri-State claimed would create unfair and destructive competition.

The opinion upheld the commission's action in refusing to accept the contention that economic injury to an established station might result from the licensing of a new one, on the ground that such effect was speculative and might not actually occur.

G. E. Television Post Awarded to Gilmour

Schenectady, Nov. 13.—John G. T. Gilmour, head of General Electric's motion picture department since 1931, has been named program director of the new G. E. television station, W2XB. Charles R. Brown, head of the market research section, succeeds Gilmour as film chief, with W. T. Cook appointed to handle scenarios for both television and film programs.

180th Station Joins NBC as Affiliate

The addition of WALR, Zanesville, O., Sunday, will bring the total of NBC's affiliated stations to 180. The station operates on 1,210 k.c. with 100 watts, will change its call letters to WHIZ. WSPD, Toledo, previously an optional on the Red and Blue, becomes a basic Red station, effective Jan. 1. It is owned by Fort Industry Co.

S'Renco Is Injured

St. Louis, Nov. 13.—Ruby S'Renco, 49, owner of the S'Renco Screening Room and Art Guild Theatre, is in serious condition at the St. Francis Hospital, Colorado Springs, as a result of an automobile accident.

Majors Doubt Shift of Studio Work to N.Y.

(*Continued from page* 1)

come the problems involved in such a move.

Several executives recalled that during Florida's drive for some part of the industry's production activity in recent years, such enticing inducements as tax-free property and rebuilt studios were offered, but they were not enough to justify disposal of any part of the industry's huge West Coast investment.

New York is offering no such inducements and its natural advantages as a production center over Florida, if any, are doubtful, in the opinion of industry executives.

Chief Benefit to Labor

Moreover, they point out, even without consideration being given to the economic and financial problems involved in a transfer of a large portion of production activity from Hollywood to New York, the precedent of such a move would be disadvantageous for the industry.

New York has no better claim to a share of film production than numerous other municipalities and regions throughout the country, it was said.

An equally justifiable demand could be made by New York on Detroit's automobile industry, on Chicago's packing industry, Ohio's rubber industry or that of any other industry not completely dependent upon its immediate locality for its existence, they contend.

Eastern labor would be the primary beneficiary of a transfer of some part of production here, and that would be achieved at the expense of western labor and production investments in California, it was said.

Claims 'Startling Facts'

Mayor LaGuardia, after a conference yesterday with union representatives on Eastern production, said that he had received "startling information concerning the Far West" which, if necessary, he would disclose to the public.

The statement was issued as a sequel to one made by the Mayor on Friday following a conference with ten union representatives in which he declared that steps were being taken to produce pictures in New York City.

"Everything in our preliminary work is completed, and we have made far more progress than I anticipated. I am not only amused but very much interested by some of the startling information I have received concerning the Far West in the last few days."

Sal Scoppa of the Studio Mechanics Union, Local 52, Florence Marston of the Screen Actors Guild, Fred Marshall of the United Scenic Artists and Charles Downs of the International Photographers are the members of the executive committee which conferred yesterday with the Mayor.

Prior to meeting with the union representatives, the Mayor conferred with Ben Hecht and George Jessel. Afterward Hecht and Jessel announced that they had formed an independent company called New York Pictures, Inc., which would start production on feature films within six weeks.

'Smith' Holds Frisco Lead With $16,200

SAN FRANCISCO, Nov. 13.—"Mr. Smith Goes to Washington" zoomed to $16,200 in the second week at Orpheum. With the Ritz Brothers on the stage, "The Day the Bookies Wept" drew $14,000 at the Golden Gat

"T[illegible]y the Bookies Wept" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 d[illegible]. Stage: Vaudeville. Gross: $14,000. (Average, $15,000)
"Mr. Smith Goes to Washington" (Col.)
"Five Little Peppers and How They Grew" (Col.)
ORPHEUM — (2,440) (15c-35c-40c-55c) 7 days, 2nd week. Gross: $16,200. (Average, $8,000)
"20,000 Men A Year" (20th-Fox)
"Main Street Lawyer" (Rep.)
FOX — (5,000) (15c-30c-35c-40c) 7 days. Gross: $13,000. (Average, $16,000)
"Espionage Agent" (W. B.)
"Law of the Pampas" (Para.)
PARAMOUNT—(2,740) (15c-30c-35c-40c) 7 days. Gross: $10,000. (Average, $11,500)
"Intermezzo" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days, 2nd week. Gross: $6,800. (Average, $8,000)
"The Roaring Twenties" (W. B.)
"No Place To Go" (W. B.)
ST. FRANCIS—(1,400) (15c-30c-35c-40c) 7 days, 2nd week. Gross: $6,000. (Average, $6,000)
"Babes in Arms" (M-G-M)
"Television Spy" (Para.)
WARFIELD — (2,680) (15c-30c-35c-40c) 7 days, 3rd week. Gross: $10,500. (Average, $12,000)
"The Betrayal" (World)
"The City" (World)
CLAY — (400) (15c-35c-40c) 7 days, 2nd week. Gross: $650. (Average, $1,000)
"Lucrezia Borgia" (Gallic)
LARKIN—(390) (15c-35c-40c) 7 days, 3rd week. Gross: $950. (Average, $1,000)

Fate of Ticket Code To Be Settled Today

The fate of the ticket code is scheduled to be decided today when the council of Actors Equity meets after a preliminary conference between an Equity committee and representatives of the League of New York Theatres. The decision will hinge upon the acceptance by the League of a provision of an independent board or arbitrator.

After the committee meeting, 11:30 A.M., the council will take up the code in the afternoon as a special order of business. After several months of negotiations, both the League and Equity are in agreement upon every major point except the question of an independent judge of violations and the severity of penalties for violators.

Although the League has repeatedly expressed a desire for a "rigidly enforced code," many Equity members believe that the code's failure last season was directly attributable to laxity of enforcement by the League.

Unless an agreement is reached, the code will expire at midnight and Equity will be free to demand a raise in wage minimums or impose other wage standards.

Under terms of the agreement with the League, Equity, which has no basic contract, consented to permit present standards to stay as long as a ticket code remained in effect.

Warner Plans Exchange

MILWAUKEE, Nov. 13.—Warners plan the erection of a new film exchange here. RKO recently announced that it was moving its exchange to the same neighborhood.

"Another Thin Man"

[Metro-Goldwyn-Mayer]

(*Continued from page 1*)

from the screen, it doubtless is important to report to exhibitors at this time that he looks and acts in this as if he had never been away. The film opens with him and his wife arriving in New York after an absence during which a baby has been born to them; the effect is to bridge adroitly the 1937-'39 gap and take up the story of their lives in stride. They are plumped down smack in the middle of a completely incredible series of murder mysteries, which the detective solves in a manner which satisfies the melodramatic necessities without reducing the incredibility perceptibly, and the ending leaves them open for whatever further adventures the studio may elect to line up for them, which should be several.

Among those supporting the stars this time are C. Aubrey Smith, Otto Kruger, Virginia Grey, Patric Knowles, Ruth Hussey and Tom Neal. The screenplay is by those eminent dependables, Frances Goodrich and Albert Hackett. William Van Dyke II, who served Hunt Stromberg as director in both previous instances, again attends to that detail here.

Running time, 105 minutes. "G."*

ROSCOE WILLIAMS

*"G" denotes general classification.

306, Empire State Union Drop Merger

Proposed amalgamation of Local 306 and Empire State Operators Union, on which the two organizations have been working intermittently for the past year, has been abandoned.

While union officials declined to explain or comment on the cessation of the merger negotiations, it was indicated elsewhere that all attempts at agreement have been rejected by one side or the other and that no new proposals have been advanced.

Concessions Unreal, Says Regional Allied

PHILADELPHIA, Nov. 13.—Present concessions are merely "articles of appeasement" to be used by distributors in an effort to defeat the Neely bill and other Allied aims, it was said at the annual meeting of the Eastern regional units of the national Allied States Association held here today at the headquarters of the Allied Independent Theatre Owners of Eastern Pennsylvania.

It was generally agreed that existing printed concessions have not been effective long enough to determine their value.

The meeting brought delegates from New England, the District of Columbia, Maryland, New Jersey and Eastern and Western Pennsylvania.

The directors were advised by Frank Lydon of Boston, who presided, that service to members in local organizations must not be neglected, through a concentration of efforts on legislation and litigation. The meeting was arranged by Sidney Samuelson of the local office. It was a one-day meeting.

Milwaukee Theatres In Union Agreement

MILWAUKEE, Nov. 13.—A settlement has been reached in negotiations between Milwaukee county exhibitors and the projectionists' union, Local 164. The old two-year contract expired Nov. 1, and the new agreement is substantially an extension of the old, it was said.

Si Fabian Settles Labor Case Today

A complaint to the State Labor Relations Board by the Motion Picture Division of Theatrical Managers, Agents and Treasurers Union against the Si Fabian Staten Island Theatres will be marked settled when the case is called for trial today, Gustave A. Gerber, union attorney, declared yesterday.

The complaint was based upon alleged unfair labor practices involved in the alleged dismissal of two managers for union activities.

Illness of Hopkins Halts Film Aid Plan

WASHINGTON, Nov. 13.—The prolonged illness of Harry Hopkins, Secretary of Commerce, has stymied the efforts of the department to work out the program of assistance for the film industry which it undertook late last Spring, it is believed here.

Department officials are described as having reached the point where they can do nothing further on their own responsibility and the next move, if there is to be one, must be made by Secretary Hopkins. No further meetings of department officials, either with industry representatives or officials of other Government departments, are in prospect. Moreover, due to his present condition, no action in the matter is anticipated from Secretary Hopkins soon.

Ginsberg Plans Own Producing Company

HOLLYWOOD, Nov. 13.—Henry Ginsberg will be in New York in about two weeks. He is working on plans for independent production. Reports that he, Pandro Berman and Leo Spitz were forming an independent production company which would release through United Artists are unfounded. Ginsberg recently resigned from Selznick International, where he held the office of vice-president.

Follows 'Ninotchka'

Warners' "We Are Not Alone" is set to follow "Ninotchka" at the Radio City Music Hall on Nov. 30.

"Love thy nabor! I'll knock his punkin' haid off."



"JEEPERS CREEPERS"
with
WEAVER BROTHERS and ELVIRY
ROY ROGERS • MARIS WRIXON
A Republic Picture

'Twenties' Hits Good $9,100, Kansas City

KANSAS CITY, Nov. 13.—"The Roaring Twenties" drew $9,100 at the Newman. "First Love" did $8,700 at the Uptown and Esquire, over the line at both houses. The weather was warm for the season.

Estimated takings for the week ending Nov. 7-9:

"First Love" (Univ.)
ESQUIRE—(800) (25c-40c) 8 days. Gross: $3,100. (Average, 8 days, $2,800)
"Marx Brothers at the Circus" (M-G-M)
"Bad Little Angel" (M-G-M)
MIDLAND — (4,000) (25c-40c) 7 days. Gross: $9,000. (Average, $10,500)
"The Roaring Twenties" (W. B.)
NEWMAN — (1,900) (25c-40c) 7 days. Gross: $9,100. (Average, $7,000)
"Dust Be My Destiny" (W. B.)
"Three Sons" (RKO)
ORPHEUM — (1,500) (25c-40c) 7 days. Gross: $4,500. (Average, $5,000)
"Rio" (Univ.)
TOWER—(2,200) (25c) 7 days. Stage: Petch & Deauville, Paulette Penny, Bob Hopkins, Elroy Peace. Gross: $5,100. (Average, $5,000)
"First Love" (Univ.)
UPTOWN — (2,000) (25c-40c) 8 days. Gross: $4,500. (Average, 8 days, $4,000)

Label Propaganda Films—Roosevelt

(*Continued from page 1*)

Roosevelt stated. Better labor relations are likewise essential, he added.

"The picture business today is rapidly opening new fields for young men and women and its future lies in the second generation," Roosevelt said. "The gold in the hills of Hollywood will soon have to be earned. The old days of easy money are gone."

Roosevelt stressed the need of having Hollywood prepare for television which, if properly handled, will create thousands of new jobs by increasing the number of pictures to meet television's needs, he continued.

Air Show from Stage Resumed in Albany

ALBANY, Nov. 13.—Fabian's Grand tomorrow will inaugurate its third season of broadcasting half-hour shows from its stage via WABY, the contract running to June for Tuesday nights. Change in policy this year results in Fabian Circuit buying the time with plugs for its other local theatres, the Palace, Leland and Harmanus Bleecker Hall as well as the direct tiein.

Amateur night, with listeners voting from home and the theatre audience selecting separate winners, is the plan promoted by Manager Larry Gowan, who first used the stunt at Fox's, Brooklyn, several years ago.

New Reel Theatre Planned in Frisco

SAN FRANCISCO, Nov. 13.—Following the success of the new Telenews Theatre, opened three months ago by Pacific Newsreel Co., the Circle in the downtown area will be remodeled to show newsreel films exclusively, according to Aaron Goldberg, head of the Goldberg circuit.

Hollywood Review

"Day-Time Wife"

(20th Century-Fox)

HOLLYWOOD, Nov. 13.—An adult and sophisticated comedy, "Day-Time Wife" is premised on the theory that the marriage relationship contains the seeds of its own destruction because proximity kills the delightful element of chance allegedly necessary for continuing interest.

With Tyrone Power as the husband of two years standing whose interest in his secretary seems to be growing, Linda Darnell, of "Hotel for Women" portrays the wife who determines to get herself a secretarial job in order to find wherein the glamor of the secretariat resides. Happily, her job is with an architect who provides a perfect case study of the man who loves his wife but needs the added spice of being "an ineligible eligible bachelor" to his secretary for the sake of his libido.

The situations inherent in the theme, including a meeting of the above foursome, with Wendy Barrie as the secretary and Warren William as the mildly philandering architect, are developed to the full in the screenplay by co-authors Art Arthur and Robert Harari. Associate producer Raymond Griffith and director Gregory Ratoff have provided handsome staging and expert pace for a vehicle with definite appeal to the adult who prefers highly seasoned entertainment.

Running time, 70 minutes. "A."*

**"A" denotes adult entertainment.*

Funeral Rites Held For Ullman's Father

BUFFALO, Nov. 13.—Funeral services were held today for Frederic Ullman, Sr., pioneer in exhibition, who died Saturday at the age of 75.

A son, Frederic Ullman, Jr., vice-president and general manager of Pathe News, arrived from New York Saturday to attend the services. Another son, Richard; a brother, Dr. Julius Ullman, and a grandson and granddaughter survive.

Buffalo's first motion picture theatre, the Edsonia, named after Thomas Edison, was opened by Ullman at the turn of the century. Prior to that he operated a nickelodeon. Ullman's holdings later increased to a number of houses in Buffalo, Syracuse and Youngstown, O.

Kansas City Film Ball Nets $3,000

KANSAS CITY, Nov. 13.—The ninth annual film ball sponsored by the Variety Club at the Pla-Mor here attracted more than 2,000, most of them members of the general public, and netted $3,000, a new high, for the charitable activities of the tent. The affair was under the direction of Earl E. Jameson, serving his fourth term in the capacity of general chairman, and he was aided by Finton Jones and Norris Cresswell as co-chairman.

The program included Arlie Simmons and his orchestra, floor show talent from the Tower, Hotel Muehelbach, Hotel Phillips and elsewhere and George Baker's Popeye Band from Kansas City, Kan.

Film Reviews Over Short Wave Stations

SCHENECTADY, Nov. 13.—Film reviews will be carried by the two short wave stations here, WGEO and WGEA, starting Nov. 20. Myron Mills, son of Bernard Mills, former Republic branch manager and now with B. & M. Pictures, and Kurt Forckel will do the reviews. Mills and Forckel are students at Union College where they are members of the Radio Workship group.

'Information Please' For Ampa Thursday

"Information, Please," which this week celebrates its first anniversary under sponsorship, will be honored at the regular Ampa meeting Thursday at 12:45 p. m. at Stouffer's Restaurant, 540 Fifth Ave.

The "experts" will be represented by John Kieran, encyclopaedic columnist and leading authority on almost all subjects. On the technical end, Dan Golenpaul, originator of the broadcast idea and producer of the shows, will speak on "A High Brow Entertainment for the Masses." Frederic Ullman, Jr., general manager of Pathe News and producer of the "Information, Please" shorts, will represent the motion picture side.

In addition, Ampa officers promise a surprise attraction which "will make the meeting one of the most entertaining of the season."

Screen Publicists To Ballot on Strike

HOLLYWOOD, Nov. 13.—The Screen Publicists Guild has called a membership meeting for Wednesday night, admittedly to take a strike vote in the event producers do not inform them by 6 P. M. Wednesday that they will sign the recently-negotiated Guild contract calling for minimum wages and working conditions.

Spitalny to Appear At Omaha Paramount

OMAHA, Nov. 13.—Phil Spitalny and his General Electric "Hour of Charm" has been booked for the Paramount here for the week staring Nov. 24. The deal will be on a stage-screen basis with prices set at 55 cents.

Reissue Film on Nazis

"Hitler's Reign of Terror," by Cornelius Vanderbilt, Jr., is being reissued by Jewel Productions, Inc. The distributor announces that the film has been revised and brought up-to-date with Edwin C. Hill, as commentator.

'Cat,' Cantor Loop Smash With $57,500

CHICAGO, Nov. 13.—"The Cat and the Canary" with the aid of Eddie Cantor on the stage, gave the Chicago a tremendous $57,500.

"On Your Toes" (W. B.)
APOLLO — (1,400) (25c-55c-75c) 7 days. Gross: $5,200. (Average, $6,000)
"The Cat and the Canary" (Para.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Eddie Cantor in person and Revue. Gross: $57,500. (Average, $32,000)
"Roaring Twenties" (W.B.)
GARRICK — (900) (35c-40c-65c) 7 days. Gross: $6,500. (Average, $5,000)
"Adventures of Sherlock Holmes" (20th-Fox)
"Two Bright Boys" (Univ.)
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $13,600. (Average, $13,000)
"Full Confession" (RKO)
"First Love" (RKO)
PALACE — (2,500) (35c-55c-75c) 7 days. Gross: $14,400. (Average, $12,000)
"Thunder Afloat" (M-G-M)
ROOSEVELT—(1,300) (35c-55c-75c) 7 days. 2nd week. Gross: $7,600. (Average, $11,000)
"Glamour Girls" (M-G-M)
STATE-LAKE — (2,700) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $13,500. (Average, $12,000)
"The Real Glory" (U. A.)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. Gross: $16,500. (Average, $14,000)

St. Louis, Milwaukee Admissions Reduced

(*Continued from page 1*)

signed to stimulate night business. However, the price slash became effective the morning after the Esquire, deluxe neighborhood house, opened, and there is considerable speculation that this may have been responsible. The Esquire is located near leading residential districts and is offering second run M-G-M, Columbia and United Artists products at 35 cents top.

The new scale will be 40 cents after 6 P. M. The 25-cent price for early birds will remain unchanged, except at the Fox, where it will only be effective from 11:30 A. M. to 1 P. M. The deadline at the other houses is 2 P. M. A 35-cent price from 2 to 6 P. M. will be the same at all four theatres.

Trend in Wisconsin Is to Admission Cuts

MILWAUKEE, Nov. 13.—Contrary to seasonal trends, a lowering in theatre admission prices, rather than an increase, is the current trend in this territory. Locally, first runs continue to hold to the 25-cent low price inaugurated during the summer. During the summer of 1938, these houses adhered to their regular 35-50-cent admissions.

It is estimated that about 25 local subsequent houses, comprising about 40,000 seats, are charging 10 cents admission at least once a week This number is higher than usual.

In the State, Warners has announced family bargain days every Wednesday and Thursday at new low prices of 15 and 25 cents at the Venetian in Racine and Sheboygan in Sheboygan. In addition, it has inaugurated 10-cent admissions on Tuesdays and Wednesdays at the Majestic in Sheboygan. Only increase here has been at E. J. Weisfeldt's Riverside, which has increased its top from 30 to 35 cents.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 96 NEW YORK, U. S. A., WEDNESDAY, NOVEMBER 15, 1939 TEN CENTS

Commercial Telecasts Get F.C.C. Favor

Wishes to Help New Art In 'Crucial' Period

WASHINGTON, Nov. 14.—Restricted commercial operation of television stations was suggested to the Federal Communications Commission tonight by its television committee as a means of aiding the young industry through what the committee sees as a "crucial" period.

The recommendation that the commission modify its prohibition against commercial operation to permit sponsorship on experimental programs was one of 10 specific suggestions made in a second report prepared by the television committee to bring up to date its first report, submitted last May.

The current report was divided into three parts, but, since two of them involve station applications and other matters which must be a subject of decision, only one section, dealing with the question of television generally, was made public.

The committee held that television is still in the "experimental operation" phase, although admittedly sufficient progress has been made in electronic systems for transmission and reception to justify public trial.

In the failure of the public to buy more than 1,000 receivers since last May the committee sees a crucial situation, and holds it is due to the lack of facilities on a nationwide scale, lack of both quality and quantity in program service, hesitation to purchase costly receiving sets at an early stage of technical development and the lack

(*Continued on page 6*)

Fabian to Answer Zanuck Complaint

Simon Fabian, head of the Fabian Circuit, yesterday said he would reply privately to Darryl F. Zanuck, vice-president in charge of production of 20th Century-Fox, giving reasons why "Drums Along the Mohawk" was not extended beyond six days at Proctor's Schenectady.

In the six days the picture grossed $6,812, against $6,495 for "Alexander's Ragtime Band" at the same theatre in seven days. Proctor's is a split-week house.

After a run at the Palace, Albany, the picture will be back in that city at Fabian's Grand Nov. 17 for a week's run.

Wage Parley Today Finds Guilds Out, Painters Firm

HOLLYWOOD, Nov. 14.—The controversy over wages in the film industry today found studio unions more solidified and determined to resist any attempt to reduce salaries.

The Moving Picture Painters Local 644 last night voted opposition to any wage cuts at this time and protested postponement of negotiations over its demand to producers for a 15 per cent increase.

The Painters, however, agreed to the producers' request that the wage issue will not be further pressed until seven days after the close of negotiations on the new basic agreement, beginning Dec. 6 at Newark.

The Painters adopted a resolution to the effect that the "Motion Picture Painters stand solidly behind the rank and file of I.A.T.S.E. and other crafts in rejecting any cuts at this time."

The three talent Guilds—Screen Writers, Directors and Actors—at simultaneous meetings last night reiterated their negative replies to William Bioff's invitation to participate with him in a meeting with producers tomorrow to discuss "voluntary relinquishment" of the 10 per cent wage increase recently negotiated by him for I.A.T.S.E. locals.

Kenneth Thomson, S.A.G. president, in a letter to Bioff, stated:

"It is our opinion that it is good

(*Continued on page 2*)

Government to Alter Trust Suit Queries

The Government plans to rephrase and define a number of the interrogatories served in the New York anti-trust suit against the majors "to lighten the burden of the defendants in answering them."

The decision was reached yesterday at a meeting of Paul Williams, special assistant attorney general in charge of the case, and defense counsel.

A further conference will be held tomorrow morning, when consideration of the Government interrogatories

(*Continued on page 7*)

Theatres, Equity OK Revised Ticket Code

Continuance of the ticket code for another year was assured yesterday when Actors Equity approved in principle the code as worked out by a sub-committee and representatives of the League of New York Theatres.

The last objection was removed yesterday morning when the League agreed to have an impartial arbitrator determine whether violations have been committed and what the punishment for violations should be.

The arbitrator will be selected as the occasion arises, with no perma-

(*Continued on page 6*)

U. A. Adopts 'Bold Policy' Of More Lavish Pictures

United Artists not only will maintain the quality of its current season production but will embark next season on a "bold policy" of sponsorship of higher-budgeted pictures than it has released heretofore, Murray Silverstone, chief executive of the company, stated yesterday following the annual meetings of the company's stockholders and board of directors.

The stockholders elected Herbert Maass, New York attorney, to the board and reelected Charles Schwartz, Dennis F. O'Brien, James Mulvey and Emanuel Silverstone. Maass will represent Mary Pickford and succeeds Theodore Caruso on the directorate. All officers of the company were reelected at the directors' meeting which followed.

Silverstone said that the company's decision to maintain quality production this season and to embark on a policy calling for production and release of the highest-budgeted pictures in the company's history next year, despite the decrease in foreign revenue, was determined as a result of exhibitor "cooperation and aid" manifested this season.

Silverstone reported that the company's domestic gross to date is more than $7,000,000 above the gross for the same period last year, and attributed this primarily to "exhibitor

(*Continued on page 6*)

ITOA Awards 10% Increase To Operators

Arbitrators Give Victory To 600 N. Y. Union Men

A 10 per cent. wage increase and an additional week's vacation with pay was awarded to members of Operators Union, Local 306, who are employed in houses affiliated with the I.T.O.A. of New York by an arbitration board yesterday.

The award is retroactive to Sept. 1, and brings the projectionists' annual paid vacations to two weeks.

The raise will affect between 600 and 700 projectionists employed in approximately 300 I.T.O.A. houses in New York City. Minimum increases per booth will be $9.40.

Vacation payments will be made in advance in seven monthly installments between December and June. The purpose of this change is to permit the exhibitor to pay this additional sum during months when grosses are better. Retroactive pay increases from Sept. 1 will be paid in four weekly installments.

Union officials expressed satisfaction with the result. It is likely that other independent houses in the city, not members of the I.T.O.A., may be faced with similar demands for increased wages. These latter houses have contracts which are negotiated from time to time on an individual basis. Many of them have provisions for arbitration and the union is expected to re-

(*Continued on page 6*)

Grant Cancellation Clause—M.P.T.O.A.

Distributors who fail to provide product cancellation that would meet with the approval of small exhibitors with the approval of small exhibitors legislation against compulsory block booking, and specifically the Neely bill," says an M.P.T.O.A. bulletin issued yesterday by Ed Kuykendall, president.

"Certainly there is no legal alibi to fall back on in refusing to provide a fair cancellation clause, otherwise the big theatres would not get such selection," the bulletin declares. "And it must be clear that a last-minute promise by the distributor to do something sometime will not impress the next Congress."

The M.P.T.O.A. bulletin charges the distributors with primary respon-

(*Continued on page 6*)

Purely Personal

JOHN HERTZ, JR., and LYNN FARNOL, United Artists advertising and publicity director, were among those at Sardi's for lunch yesterday.

•

W. RAY JOHNSTON, EDWARD GOLDEN, WILLIAM FITELSON, ARTHUR KELLY, JOSEPH MALCOLM, SAM CITRON, KING VIDOR, LOU GELLER, HARRY THOMAS, GEORGE WEST and BOB SAVINI lunching at BOB GOLDSTEIN'S Tavern yesterday.

•

WILLIAM F. RODGERS, JOHN HICKS, EDMUND GRAINGER, SIDNEY PHILLIPS, EDWARD SAUNDERS, SAM SHAIN and LOU POLLOCK at Nick's Hunting Room in the Astor for lunch yesterday.

•

HENRY KOSTER, Universal director, plans to leave New York for the Coast at the end of the week, after a two weeks vacation here.

•

A. H. BLANK and RALPH BRANTON of Tri-States Circuit, Des Moines, are here for conferences at the Paramount home office.

•

DAVID MILLER, Universal manager in Cleveland, has been visiting the Albany territory this week with JOSEPH ENGEL, manager in Albany.

•

WILLIAM GADDONI, M-G-M manager in Albany, recently recovered from an illness, leaves Dec. 2 for a week's vacation in Washington.

•

CHARLES LAUGHTON is en route here from the Coast with his partner in Mayflower Productions, ERICH POMMER.

•

ELMER UPTON of the B. & K., circuit, Chicago, is in New York on a brief visit.

•

RICHARD J. PATTERSON, chairman of the RKO board, returns tomorrow from Washington.

•

SIDNEY LANFIELD, 20th Century-Fox director, is trying out New York golf courses.

•

ABE SCHNEIDER, RUBE JACKTER and ABE MONTAGUE lunching at Lindy's (50th St.) yesterday.

•

LOU HART of the Schine Glove Theatre, in Gloversville, was a New York visitor this week.

•

JULIUS J. and PHILIP G. EPSTEIN, Warner scenarists, are in town on their vacation.

•

C. H. OLIVE of the Atlas and Princess Theatres, Washington, was a New York visitor this week.

•

VERA ZORINA left yesterday for the Coast after a short stay here.

•

NORMAN ELSON of Film Alliance of the U. S. in the South on business.

Club Installation Dec. 4

PITTSBURGH, Nov. 14.—The local Variety Club will install new chief barker C. J. Latta of Warner Theatres, and his new fellow officers, at a dinner Dec. 4.

Parley Today on Wage Cuts In Hollywood

(*Continued from page* 1)

labor union practice for unions to present the case for improved working conditions for their members, and let the employers present the argument against improved working conditions.

"For unions to take the initiative in marshalling or circulating the employers' arguments is both bad labor union practice and entirely unnecessary, for the employers—particularly the producing employers—are well able to look out for their own interests."

President Sheridan Gibney of the S.W.G. wrote in part:

"We have always been willing to discuss any mutual problems with any organization of our fellow employes. As to dealings with the producers, we have always retained our prerogative to deal with them independently."

Bioff announced that he was attempting to obtain the producers' permission to have press representatives attend tomorrow's conference. Up to a late hour tonight he said he had received no reply.

Bioff said the conference would be held regardless of the three talent Guilds' refusal to send representatives.

Rice Wins Award At Writers' Party

Grantland Rice was awarded first prize for the best piece of writing by a member of the Artists and Writers Association at a cocktail party at the Seven-Eleven Club yesterday. He received the award for an article on Alec Morrison, the golfer. Rube Goldberg won the drawing award for his cartoons in the New York *Sun*.

Clarence Buddington Kelland won second prize and Roy Howard, third, in the writing division. Arthur William Brown won second prize and Floyd Davis third in the drawing division.

Plan Celebrity Stamps

E. C. Mills, chairman of the Ascap administrative committee, went to Washington yesterday to confer with Postoffice Department officials on the new commemorative postage stamp issue honoring American celebrities, among whom will be a number of composers identified with Ascap.

Ampa Guest Tomorrow

Wallace Ford will be an added attraction at the Ampa luncheon meeting tomorrow at Stoffer's restaurant, in addition to personalities from the "Information Please" radio program. The meeting has been called for 12:45 o'clock.

Lois Weber Dies

HOLLYWOOD, Nov. 14.—Lois Weber, 56, one of Hollywood's few women film directors, died here yesterday after a long illness. A stomach ailment had kept her out of film work in recent years.

Staten Island Asks Coast Studios, Too

Now it's Staten Island that wants the Hollywood studios if they are moved from the West Coast. Borough President Palma of Richmond, in a letter to Mayor LaGuardia, points out that the Island would be ideal for film production because "nowhere on the Atlantic seaboard can you find so varied a terrain."

Allied Plans More Regional Meetings

Allied States has decided to hold meetings of its Eastern regional directors every two months. Heretofore regional sessions were held once a year, in conjunction with the New Jersey Allied conventions.

The next Eastern regional meeting will be held in Washington in January, at the time of the national directors' annual meeting. Francis C. Lydon of Boston is regional vice-president.

A group including Arthur K. Howard of Boston, business manager of Independent Exhibitors of New England; Wilbur Peterson, Orpheum, Summerville, Mass., and Al Schuman and Maurice Shulman of Connecticut Allied, were in New York yesterday en route home from the regional meeting held in Philadelphia Monday.

Central Ends French Policy, Revives Duals

Brandt's Central Theatre on Broadway will revert to its original double bill policy on Friday after a trial as a first-run French film house. "Port of Shadows," Film Alliance picture, bows out of the house Thursday night after three weeks.

The Brandt circuit plans to run French and other foreign pictures at the new Pix, 900-seat house under construction on 42nd St. between Broadway and Sixth Ave. Opening is scheduled for early in December. It is expected that this will be the first-run outlet for Film Alliance product.

Departure for Coast Deferred by Einfeld

Scheduled to leave for the Coast yesterday, Charles Einfeld, Warner director of advertising and publicity, has postponed his departure for two more weeks. Einfeld arrived in New York three weeks ago for conferences with J. L. Warner, who has since returned to Hollywood; Maj. Albert Warner, C. L. Sears, Joseph Bernhard and Mort Blumenstock on Warner releases for the Fall and Winter months.

Sidney Spier Dies

Sidney Spier, 28, Broadway publicist, died at the Mt. Sinai Hospital yesterday from a streptococcus infection which followed an attack of pneumonia. His body was cremated yesterday. A memorial service will be held at the Campbell Chapel tomorrow at 11 A.M. Spier represented the Billy Rose Enterprises, several night clubs and Broadway shows.

F. & M. Fires 8 Operators In Union War

ST. LOUIS, Mo., Nov. 14.—Dismissal of eight highly-paid union operators was announced today by the Fanchon & Marco Service Corp. This is the latest development in the labor dispute between F. & M. and the Motion Picture Operators Union.

In a paid advertisement appearing in the daily newspapers and over the signature of F. & M. and the St. Louis Amusement Company, the company listed the eight operators, four at the Ambassador and four at the Missouri, both major run theatres. The yearly salaries ranging from $4,968 to $5,967 of the eight were listed.

The reason given in the ads was that the eight men joined in picketing the Fox theatre and six neighborhood houses operated by F. & M. after their work at the two theatres was completed.

The management said they tolerated the men as long as possible because they believed a settlement was near, "but settlement is as far away now as it was the day when picketing started."

Meanwhile in F. & M.'s suit for an injunction against the pickets, union counsel asked for dismissal of the suit. Judge Nolte ruled that evidence that operators employed by F. & M. are henchmen of John P. Nick, ousted head of the union, must be submitted first.

Smith Heads Talent For Chicago Party

CHICAGO, Nov. 14.—Frank Smith, veteran manager of the RKO-Palace theatre, will head the entertainment committee when Mayor Kelly's Christmas party is held at the Chicago Stadium the week before Christmas. Smith has headed the entertainment committee for the past five years.

Hanna in New Post

CLEVELAND, Nov. 14.—John Hanna, roving representative of Alan F. Cummings' checking department at M-G-M, has been named Cleveland checking supervisor for the company. He switches jobs with Robert Long, who will work out of the home office.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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WILLIAM POWELL, MYRNA LOY in "ANOTHER THIN MAN" with Virginia Grey, Otto Kruger, C. Aubrey Smith, Ruth Hussey, Nat Pendleton, Patric Knowles, Tom Neal, Screen Play by Francis Goodrich and Albert Hackett, Based on an Original Story by Dashiell Hammett, Directed by W. S. VAN DYKE II, Produced by HUNT STROMBERG, An M-G-M Picture.

GET READY!

"M-G-M's answer to public demand! A natural!"—*M. P. Daily*

"Heavy box-office!"—*Hollywood Reporter*

"Tops either of the two previous!"—*Daily (Coast) Variety*

"Swell! Should enjoy marked box-office popularity!"—*Film Daily*

"Sure bet at the turnstiles!"—*Box-Office Magazine*

M-G-M IS ON THE MARCH!

"The Women" · "Thunder Afloat" · "Babes In Arms" · "Ninotchka" · "Another Thin Man" · "Judge Hardy & Son" · "Balalaika"

MILLIONS LOVE HIM ON
MORE WILL WELCOME H



THE RADIO...MILLIONS M TO THE SCREEN!

℞

JEAN HERSHOLT in the role he's been playing for years over the national CBS network . . . Dr. Christian, friend of the sick, crony of the grandest kids who ever ran a town ragged, champion of right and young romance! . . . Now your folks can meet him at YOUR THEATRE, with Nurse "Judy" and all the other well-loved characters, in

THE FIRST OF A GREAT NEW SERIES!

OLT

Meet

DOCTOR CHRISTIAN





with

DOROTHY LOVETT
ROBERT BALDWIN

ENID BENNETT • PAUL HARVEY
MARCIA MAE JONES • JACKIE MORAN

PRODUCED BY WILLIAM STEPHENS • DIRECTED BY BERNARD VORHAUS

ITOA Awards 10% Increase To Operators

(Continued from page 1)

quest them to accept the present award for themselves.

The arbitration board held three meetings in the past month. Under the basic 10-year agreement between the union and the I.T.O.A. signed in January, 1937, negotiations for wages and other conditions are required to start each September. The present negotiations have been under way since the fall of 1938, but no agreement was reached and both sides submitted the case to arbitration as provided under the contract.

Dr. Paul Abelson, who has acted as impartial arbitrator between unions and employers in several other industries, was selected as the neutral. Other members of the board were W. French Githens and David Weinstock, representing I.T.O.A., and Joseph D. Basson and Charles Kielhurn, representing 306.

Details of the arbitration agreement will be revealed at a membership meeting of the I.T.O.A. today at the Hotel Astor.

306 and Majors Await O. K. For Fifth Arbitrator

The effect of yesterday's award on the arbitration proceedings which is now under way between major circuits and 306 was regarded as problematical by both sides yesterday. Operators in major circuit houses receive higher wages generally, but receive only one week's vacation.

The appointment of Prof. Milton J. Handler of Columbia University law school as the neutral arbitrator has been agreed upon, but Chief Judge Frederick Crane of the Court of Appeals has not yet signed the order officially appointing him.

Theatres, Equity OK Revised Ticket Code

(Continued from page 1)

nent board set-up. He will be chosen from lists of the American Arbitration Association or by agreement. Pending the actual signing of written contracts, the council extended the code for one week, until Nov. 22.

A committee of 12 will draw the code before the deadline. They are Lee Shubert, Brock Pemberton, Martin Beck, Marcus Heiman, James F. Reilly and Milton R. Weinberger, for tthe League; Paul Dullzell, Alfred Harding, Winifred Lenihan, E. J. Blunkall, Paul N. Turner and Rebecca Brownstein, for Equity.

Attempting Stage Shows

MADISON, Conn., Nov. 14.—Leo Bonoff's Bonoff Theatre is trying weekly Wednesday stage shows as a new policy, advertising the shows in surrounding towns and New Haven.

WBT Promotion Book

CBS has issued an elaborate 20-page promotion book on WBT, Charlotte. The text deals principally with the record of sales of household and electrical appliances.

U. A. Adopts 'Bold Policy' Of More Lavish Pictures

(Continued from page 1)

treatment of the company this season."

Silverstone said the new Charles Chaplin picture will be completed and released this season, being among 15 films which United Artists will deliver during the remainder of the season. There will be three more pictures from Alexander Korda this season, among them "The Lion Has Wings," which United Artists will distribute here and in Canada. The other two, "Thief of Bagdad" and "Over the Moon" were booked by Radio City Music Hall yesterday for Winter engagements, he said.

Silverstone said that Korda's production plans beyond those pictures "are up to him."

"Korda can obtain all the financing he requires either here or in England," Silverstone answered in response to a question.

He added that he did not believe Korda would produce in Hollywood, due to the fact that he is too important a factor in British production, "which needs him more than ever at this time."

The United Artists head stated that additional producers would be affiliated with the company next season and that all of its present producers would continue with it. He said that this did not imply a greatly increased production schedule, however, as fewer pictures might be made by the present producers.

Silverstone plans to leave for the Coast in the near future to initiate conferences on next season's production plans with the producers.

Give Cancellations or Get Neely Bill, MPTOA Warns

(Continued from page 1)

sibility for solving industry problems. In view of the hopelessness of getting the Department of Justice to approve a trade practice code, the M.P.T.O.A. suggests "organized, systematic mediation" as an alternative to "more and more litigation."

"How effective organized mediation and conciliation would be, no one knows—it has never been tried in our business," the bulletin continues. "We know it does work in other equally difficult fields."

Possibility that the Federal amusement tax exemption will be lowered to 10-cent admissions is raised by the M.P.T.O.A., which says:

"The increasing threat of special taxes on theatres and on motion pictures, and more particularly the threat of admission tax levies at rates of taxation that are three to five times the rate of taxation on other retail sales, is a matter of grave concern.

"Not only is this imminent in many states by reason of deficits and the pressure for funds for old age pensions and relief, but the mounting Federal deficit and interest payments on the ever-increasing Federal debt, the proposed increased armament expense and the long-pending proposals for 'tax revision' are likely to bring up again proposals for a Federal tax on all admissions down to 10 cents.

"Unless the theatres are well organized to defend themselves against such an unfair and discriminatory tax we are apt to get socked."

Whole Town Signs

Hollywood, Nov. 14.—Mickey Rooney is displaying an album of 2,000 signatures, a testimonial signed by the entire population of Taihape, New Zealand.

Film Chiefs, Critics Honor Oscar Doob

More than 40 prominent theatre executives, press representatives and film critics last night paid honor to Oscar A. Doob on the occasion of his tenth anniversary as advertising director of Loew's, Inc.

All attended a dinner at Charlie Guarino's Fifth Avenue Tavern, 4 W. 40th St. Ted Friend of *The Mirror* was master of ceremonies. Olson and Johnson, comedians, entertained. There were ten speakers on the program. Congratulatory telegrams came to Doob from all parts of the country.

Among those present were J. W. Egan, Ben Crisler, John Balaban, Lynn Farnol, Monroe Greenthal, Rodney Bush, Robert Gillham, Al Wilkie, Alec Moss, Mitch Woodbury, Art Darmstader, Wanda Hale, Kate Cameron, Robert Dana, Robert Coleman, Jack Smith, H. B. Fairchild, Frank Farrell, Irene Thirer, Ben Serkowich, Art Schmidt, Ernest Emerling, Gene Murphy, James Cunningham and A-Mike Vogel.

An onyx humidor was presented to Doob. Prior to becoming advertising chief of the Loew circuit, he did publicity work for Balaban & Katz in Detroit and Chicago.

Golding Aiding Drive

ALBANY, Nov. 14.—Louis R. Golding, Fabian district manager, is the Community Chest major in charge of collecting subscriptions for the theatres, employes and exchanges in this district.

Discuss Fire Hazards

CHICAGO, Nov. 14.—The Chicago Bookers Club will hear A. J. Caldwell of the Underwriters' Laboratory talk on fire hazards at their next meeting on Friday. Motion pictures of tests made by the laboratory will be shown.

Visit Fox Exchanges

William Sussman, 20th Century-Fox Eastern division manager, is visiting exchanges with Herman Wobber, general sales manager, and M. A. Levy, Kent drive leader, in connection with the drive.

Commercial Telecasts Get F.C.C. Favor

(Continued from page 1)

of sufficient information upon which to base a logical licensing policy.

Thus, it was pointed out, the industry, the public and the commission are all involved in the situation, and it is felt that "while the public has not been eager to purchase receivers at this time" it does not desire to be deprived of the opportunity to enjoy television when it is ready for public service.

A major element in the situation, it was pointed out, is the cost of programs. Information has been obtained that the average cost of motion pictures is approximately $300,000 as against an approximate cost of rendering television service in New York City for one week on a 12-hour per week basis of $15,000. "Thus, if television is to become a real service to the public, the licensees must be adequately financed and be assured of an adequate revenue from the service rendered," it was held.

The television group insisted that removal of restrictions against commercial operations would carry "potential disadvantages" far outweighing the possible benefits, but suggested that it might be advisable to relax the regulations to permit the sponsoring of programs, funds from which are devoted primarily to experimental progaram development.

The committee's recommendations, aimed at bringing about greater public participation in experimental operation and the construction of more stations, suggested an allocation of certain of the frequencies on a population basis, establishment of minimum requirements for television transmitters and the protection of the public, so far as possible, against loss through obsolescence in receivers.

The report was given the approval of all three members of the committee, Commissioners T. A. M. Craven, chairman; Norman S. Case and Thad H. Brown.

NBC to Seek New Television License

NBC will apply for the new type of television license as soon as the Federal Communications Commission approves its committee's report, Thomas H. Hutchinson, manager of the television program division, declared yesterday.

"If approved, this marks the second phase of television's expansion," Hutchinson said.

Approximately 10 per cent of television programs over the NBC station are now produced by commercial sponsors who are permitted to publicize their products in return for supplying talent.

Immediate efforts will be made to sell time, but only slight consideration has been given thus far to rates, particularly in view of the small number of sets sold.

Newsreel Parade

War news again dominates the contents of the reels. There are no clips from Germany, however. Armistice Day observance and major football games are covered. The reels and their contents follow:

MOVIETONE NEWS, No. 19—King George at munitions factory. German plane shot down in Scotland. British destroyers form blockade in Channel, French in Mediterranean. Floods in war areas. Polish army prepared to fight again. LeBrun with soldiers at front. Belgian Queen inspects defenses. Italy stresses neutrality. Roosevelt observes Armistice Day. LaGuardia launches Red Cross drive. Bombers in flight to Brazil. Football; Princeton vs. Dartmouth, Notre Dame vs. Iowa.

NEWS OF THE DAY, No. 217—French reinforce flooded front. King George on munitions plants tour. Nazi plane shot down in Scotland. German prisoners in England. Allies tighten blockade. U. S. renews peace pledge. Football: Notre Dame vs. Iowa, Missouri vs. N. Y. U., Stanford vs. Southern California.

PARAMOUNT NEWS, No. 22—Reenact first Thanksgiving. French vessels on patrol. Hold prisoners of German U-boat. German pilot downed in Scotland. LeBrun in Moselle Valley. Polish soldiers in French uniforms. Armistice observed in Arlington, Canada and on Canadian border. Football: Princeton vs. Dartmouth, Notre Dame vs. Iowa, Minnesota vs. Michigan.

RKO PATHE NEWS, No. 34—Allied fleets block Germany. Floods hit Moselle Valley. Polish legion fights for France. Nazi prisoners in Britain. Nazi plane brought tdown. Holland prepares for war. Roosevelt at Unknown Soldier's Tomb. Nobel peace prize awarded. Russian Ambassador arrives. Princeton vs. Dartmouth and Michigan vs. Minnesota football.

UNIVERSAL NEWSREEL, No. 823—Armistice Day ceremony at Arlington. Nazi plane downed in Scotland. Barge with planes on board sinks. Italian colonists sail for Africa. New cruiser arrives in Boston. Dr. Lawrence wins peace prize. Football: Princeton vs. Dartmouth, N. Y. U. vs. Missouri, Tulane vs. Alabama, Notre Dame vs. Iowa.

Warner Clubs Set Troy Party Dec. 9

ALBANY, Nov. 14.—Albany area Warner Clubs will hold their annual dance at the Hendrick Hudson Hotel in Troy on Dec. 9, according to Max Friedman, president.

Friedman has appointed a ticket committee consisting of James P. Faughman, F. Ray Powers, Jean Fryer, Carrie Regan, Howard Secor, Robert Rosenthal, Leo Rosen, Al LaFlamme and James Moore. Entertainment committee consists of Rosen, Edward Selette, Woodrow W. Campbell and Mrs. Ruth Milberg.

Stop Chaplin Film Sale

An order restraining Harry Jacobs, doing business as the Garden Camera Exchange, from the sale of prints of the Chaplin film, "Shoulder Arms" pending trial has been signed by Federal Judge William Bondy. Trial of the suit was fixed for Nov. 17. Jacobs is charged with manufacturing and selling Chaplin films without his consent.

Wins Exploitation Test

In a special exploitation contest on Paramount's "Invitation to Happiness," arranged in conjunction with the managers of 26 theatres of the Gregory Theatre Circuit, Inc., of Chicago, F. D. Nessel, manager of the State, Anderson, Ind., was declared the winner.

Hollywood Review

"Reno"

(RKO)

HOLLYWOOD, Nov. 14.—"Reno," which tells the story of the heartbreak of two persons against the background of the creation of the widely known "divorce mill," threw mixed reactions as to merit from the preview audience. Its story is marked by weak spots, but it packs a wealth of human interest.

This RKO production presents Richard Dix, as a man fighting against his own Frankenstein, the divorce court, which is threatening the future of Anita Louise, who does not know that she is his daughter. Gail Patrick is the other marquee name. Supporting are Paul Cavanagh, Laura Hope Crews, Louis Jean Heydt, Hobart Cavanaugh, Charles Halton, Astrid Allwyn, Joyce Compton, Frank Faylen and William Haade.

The producer-director combination of Robert Sisk and John Farrow, respectively, and writer John Twist, who adapted the original story by Ellis St. Joseph, have been responsible for several RKO productions of appealing human interest.

Dix, accused by a girl seeking a divorce of using a fixed roulette wheel in Reno, tells in his own defense the story of his life, disclosing that he, as a young lawyer years ago, started the "divorce mill" which later took the toll of his own marriage. His wife took their young daughter and remarried. The climax comes, not too unsuspectedly, with the girl realizing that she is his daughter, and with a reconciliation.

Running time, 73 minutes. "G."* VANCE KING

*"G" denotes general classification.

Warner Managers End Dallas Parleys

DALLAS, Nov. 14.—Warner branch managers in the Southern district have left for their respective territories after holding a series of meetings here with Fred Jack, Southern district manager. Plans were made for the annual Sears drive.

The meetings were called following Jack's return from New York, where he had conferred with Gradwell L. Sears, Charles Einfeld, Carl Leserman, Ben Kalmenson and Mort Blumenstock on new releases.

Attending the sessions here were Ralph McCoy, Atlanta; Luke Conners, New Orleans; J. A. Bachman, Charlotte; Otto Rohde, Oklahoma City, and Doak Roberts, Dallas.

Loew's Asks Ruling In Herman Litigation

WILMINGTON, Del., Nov. 14.—Loew's, Inc., defendant along with officers and directors in suit filed here last Winter by Arnold Herman, New York stockholder on charges of fraud and conspiracy in formation and promotion of 20th Century-Fox, has filed a plea asking whether it should answer that suit. Loew's alleges that relief sought in Herman's bill had been disposed of in a consolidated action in the N. Y. Supreme Court and heard in December, 1938.

Show Musical Films

The Musical Adventure Club of New York will be the guest of the M. P. P. D. A. at a showing of musical films at the Sky-Line Theatre in the Chanin Building on Friday morning. A commentary will be presented by Arthur DeBra of the Hays Office.

William J. Miller Dies

HOLLYWOOD, Nov. 14.—William Joseph Miller, one of the first film cowboys, died in General Hospital here following a stroke, at the age of 61.

Government to Alter Trust Suit Queries

(Continued from page 1)

will be concluded and an agreement on questions submitted by United Artists will be sought. A long extension also will be granted to permit both the defense and the Government to prepare answers, but the exact time has not been fixed.

The defense is seeking a limitation on the broad questions submitted by the Government and agreement has been reached on most of them. Thus, questions which sought information on contracts over a three-year period have now been limited to one year and definitions have been restricted to situations directly involved in the case.

Short Subject Reviews

"Popular Science, J9-2"

(Paramount)

An extremely interesting subject in a generally interesting series, this features rubber jackets to preserve the freshness of meat indefinitely; a new method of erecting concrete houses with molds; machinery for picking and preparing pineapples, and the tests undertaken on safety equipment at the Underwriters' Laboratories, which is the film's high spot. Color enhances the subject. Running time, 10 mins.

"Never Sock a Baby"

(Paramount)

This Max Fleischer Popeye cartoon rates about average. Popeye spanks the baby, Sweet Pea, and then dreams the infant has run away. His pursuit and near rescue provide a few chuckles. Running time, 6 mins.

"Aqua-Rhythm"

(Paramount)

This Sportlight subject, with Ted Husing handling the narration, pictures the Tarpon Swimming Club of the Florida State College for Women going through graceful and effective evolutions in the water. With the beautiful Wakulla Springs as background, the girls provide a fascinating picture of grace and aquatic skill. Running time, 10 mins.

Parsons Stage Show Opening in Frisco

SAN FRANCISCO, Nov. 14.—After a one-night tryout in Santa Barbara, Louella Parson's stage troupe opens Wednesday at the Golden Gate Theatre here, then leaves for a week at the Earle in Philadelphia. Leo Morrison is working on other dates, probably in the East. Maklin Megley is in charge of production, and Tiber Fejer in charge of music.



Radio Personals

William R. Nugent, of the NBC sound effects department, has been transferred to Los Angeles, effective this week. . . . Betty Field, heard on "The Aldrich Family" show, has been cast for a role in "Ring Two," forthcoming George Abbott production.

Jimmy Shields, tenor, has succeeded Donald Novis in the singing spot on the "Fibber McGee and Molly" show, heard Tuesdays at 9:30 P. M. over NBC-Red. . . . Larry Holt and Walter Brester have been added to the engineering staff of WJSV, Washington. . . .

John Lee, WOKO, Albany, studio manager, has returned to his desk after several days at home due to a severed artery. . . . Jerry Manter has been sent to Albany by Transradio News to handle the news bureau servicing WOWO and WABY. . . .

Paul Whiteman will be guest on "Author! Author!" Monday at 8 P. M. over Mutual. . . . Lawrence Tibbett will be guest on the "Ford Hour" Sunday at 9 P. M. over CBS. . . . Donald Dickson takes over the baritone assignment on the Chase & Sanborn hour over NBC-Red Sunday at 8 P. M. . . .

Robert Reichenbach, formerly with KNX, Los Angeles, has been added to the sales promotion staff at KMOX, St. Louis.

Rocky Mount Scene Of Kyser Film Today

ROCKY MOUNT, N. C., Nov. 14.—Plans have been completed for the opening here tomorrow at the Center and Carolina Theatres of Kay Kyser's "That's Right, You're Wrong," with a parade featuring the festivities scheduled for the day.

Governor Hoey of North Carolina, Assistant Secretary of Labor Turner W. Battle and numerous state officials will participate in the day's events. A group of RKO home office executives, headed by Ned E. Depinet, vice-president, will be on hand for the premiere, as well as David Butler, the director, and Mrs. Butler. Kyser will broadcast his regular weekly NBC program from here.

Music Artists Guild Picks Board Dec. 27

Nine new board members, plus one vice-president, will be elected at the annual meeting of the American Guild of Musical Artists on Dec. 27. All will serve two-year terms. Lawrence Tibbett is president of the organization.

WNEW Post to Barrett

Halsey V. Barrett, formerly with the sales promotion department at WOR, has been named director of sales promotion at WNEW, Bernice Judis, general manager, announced yesterday.

Reissue Griffith Film

ALBANY, Nov. 14.—B. & M. Pictures, Inc., recently formed by Jack Berkson of Buffalo and Bernard Mills of this city will release "Ten Nights in a Bar Room," a reissue of D. W. Griffith's "The Struggle."

New York Review

"The Mill on the Floss"

(National Provincial-Standard)

There is tragedy in this story, the tragedy of an honest and sincere girl whose actions are misunderstood by a smug and self-righteous community in the middle of the last century.

There may be a selling problem for the exhibitor in the tragic conclusion of the story, but offsetting that is the fact that here is a screen dramatization of one of the most notable classics of literature, George Eliot's "The Mill on the Floss."

It is a well-told tale, with adaptation to the screen medium causing no loss of dramatic effect and the interplay of character. The story is as old as human behavior, as the girl is made to suffer cruelly because of the bitter enmity of her father for the father of the man she loves.

The interpretation by the cast is of uniformily good quality, with outstanding work by Geraldine Fitzgerald as the girl who bears the brunt of the parental hatred; Frank Lawton as the crippled son of her father's enemy; Sam Livesay as the girl's father, and James Mason as her brother, who carries the torch of hatred after his father's death.

The story centers about the old mill, owned by Livesay, which is bought on foreclosure by Lawton's father. The love of Lawton and the girl is continually frustrated. When she becomes infatuated with her cousin's fiance and the two are stranded by a storm at night, the town and her brother condemn her. About to be swept away in the flood of a breaking dam, Lawton reaches her side, and the two die together, a letter from the missing fiance clearing her name—but too late.

John Clein produced and Tim Whelan directed from a screenplay by Garnett Weston, Austin Melford and Whelan, with dialogue by John Drinkwater.

Running time, 81 minutes. "G."* CHARLES S. AARONSON

*"G" denotes general classification.

B'nai B'rith Charter Meeting Tomorrow

The charter meeting of the Cinema Lodge, B'nai B'rith, will be held tomorrow evening in the grand ballroom of the Hotel Edison. Harry B. Epstein, president of District Grand Lodge No. 1 of the organization, will present the charter.

Among important industry figures who have signified their intention of being present are Barney Balaban, Major Albert Warner and Jack Cohn. A. W. Schwalberg is president of the Cinema Lodge and Stuart H. Aarons is secretary.

Paramount Invites Press to Location

ALBANY, Ga., Nov. 14.—Y. Frank Freeman, Jr., assistant to Jack Moss, has invited newspapermen and exhibitors in the South to spend a day here on Thursday with the Paramount location unit filming "The Biscuit Eater."

In addition, several syndicate writers will fly here from New York. The visitors will be entertained at a southern barbecue with Freeman as host, after the day's shooting. U. S. Senator Walter F. George and Governor Rivers will be among the guests.

'Mill on Floss' Party

World Pictures was host to film and theatre men at a party at the Hotel Astor last night in connection with the opening of "The Mill on the Floss" at the Astor on Broadway yesterday. Guests were received by Irvin Shapiro, Arche Mayers and Ed Barison of World Pictures and George Trainer and Harry Segal of Standard Pictures, which owns the picture.

Legion Approves 7 Of 8 New Pictures

The National Legion of Decency, for the current week, has approved seven of eight new pictures reviewed and classified, three for general patronage and four for adults, and classed one as objectionable in part.

Class A-1, Unobjectionable for General Patronage: "The Mad Empress," "Main Street Lawyer," "Stranger from Texas." Class A2, Unobjectionable for Adults: "The Honeymoon's Over," "Man from Montreal," "Reno," "La Tia de las Muchachas" (Spanish). Class B, Objectionable in Part: "Port of Shadows" (French).

Press Seeks Clips On London Bombing

Associated Press photo representatives yesterday saw "Bombs Over London," Film Alliance of the U. S. picture, and asked Joe Weil of the company to supply clips for use by member newspapers—just in case. The film shows an air raid over the British capital during a blackout.

Recently when the Royal Oak was torpedoed, Film Alliance supplied clips from "Torpedoed" showing the ship being sunk by a submarine. The photos were widely distributed.

Heads Symphony

Howard Barlow, staff conductor of the Columbia Broadcasting Symphony Orchestra, has been named director of the Baltimore Symphony Orchestra for the 1939-40 season.

N. J. Allied Meeting

Allied Theatre Owners of New Jersey will have a luncheon meeting at the Hotel Astor here Nov. 28.

'Essex' Hits Big $26,800, Philadelphia

PHILADELPHIA, Nov. 14.—"The Private Lives of Elizabeth and Essex" hit a smash $26,800 in its world premiere at the Boyd. "Pride of the Bluegrass," paired with the "Dead End Kids" and Ted Weems on the stage, hit $24,300 at the Earle.

"The Real Glory" (U. A.
ALDINE—(1,700) (32c-42c-57c) 7 days, 2nd week. Gross: $7,100. (Average, $8,000)
"Intermezzo, a Love Story" (U. A.) (4 days)
"Eternally Yours" (U. A.) (3 days)
ARCADIA—(600) (32c-42c-57c) 2nd runs; "Intermezzo" 2nd week. Gross: $2,800. (Average, 7 days, $2,600)
"The Private Lives of Elizabeth and Essex" (W. B.)
BOYD—(2,400) (32c-42c-57c) 7 days. Gross: $26,800. Average, $12,000)
"Pride of the Bluegrass" (W. B.)
EARLE—(2,400) (32c-42c-57c-68c) 6 days (closed Sundays). Stage: Ted Weems and his orchestra; four of the "Dead End Kids" with Sam "Schlepperman" Hearn. Gross: $24,300. (Average, $16,000)
"The Roaring Twenties" (W. B.)
FOX—(3,000) (32c-42c-57c) 5 days, 2nd week. Gross: $11,600. (Average, 7 days, $13,000)
"Pack Up Your Troubles" (20th-Fox)
KARLTON—(1,000) (32c-42c-57c) 5 days, 2nd run. Gross: $2,400. (Average, 7 days, $3,000)
"Babes in Arms" (M-G-M)
KEITH'S—(2,200) (32c-42c-57c) 2nd run. Gross: $8,200. (Average, $3,500)
"Drums Along the Mohawk" (20th-Fox)
STANLEY—(3,700) (32c-42c-57c). Gross: $19,800. (Average, $14,000)
"U-Boat 29" (Col.)
STANTON—(1,700) (26c-32c-42c). Gross: $4,700. (Average, $4,500)

Permanent Western Town for Goldwyn

HOLLYWOOD, Nov. 14. — Establishment of a permanent western town to be used for location sites was announced today by Samuel Goldwyn Studios, which said that Governor Jones of Arizona had officially proclaimed a complete town 35 miles from Tuscon as "Goldwyn City." It will operate under Arizona laws with city government chosen from members of the company of Goldwyn's "The Westerner," which starts shooting there next week.

Paramount Will Film 'Kiss Boys Goodbye'

Paramount yesterday acquired the film rights to "Kiss the Boys Goodbye," Broadway stage play written by Clare Boothe. A satire on the recent search for Scarlett O'Hara, the play deals with a talent scout in search of a girl to play the top role in a Hollywood picture.

Manager Asks Jury Trial

MOBILE, Ala., Nov. 14.—Demand for a trial by jury was made by Richardo Montiel, manager of the Saenger, when arraigned in Recorder's Court on a charge of "carrying on or representing a lottery." He was released on $500 bond. Montiel defied the City Commission and police chief by running Bank Night and was arrested.

Aids Shriners' Benefit

JACKSONVILLE, Fla., Nov. 14.—Col. Lionel J. Keene, now staging juvenile talent quests in the South, has just concluded a three-day engagement at the Morocco Temple here for the benefit of Shriners' Hospitals.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 97 NEW YORK, U. S. A., THURSDAY, NOVEMBER 16, 1939 TEN CENTS

Deny Lower Price Trend In Midwest

Blame Local Competition For Admission Cuts

There is no trend toward lower admissions in the Middle West in prospect at this time, according to representative theatre operators from that territory who have visited New York during the past few days.

Reductions of admission prices in St. Louis and Milwaukee last week were described as "purely local" in character and having their origin in competitive conditions in those cities.

There is no basis for belief that developments in the two cities are indicative of a drop in attendance in the middle west or indicative of a trend in that area, it was said.

John Balaban of the B. & K. circuit, Chicago, reports that business in that area is continuing at a steady level and that there are no indications of reduced admission scales there, other

(*Continued on page 3*)

Separate Sale Plan Prevails for 'Smith'

Because of the controversial issues which have arisen with the release of "Mr. Smith Goes to Washington," A. Montague, Columbia's general sales manager, made the following statement yesterday:

"There need be no misunderstanding as to how Frank Capra's picture, 'Mr. Smith Goes to Washington,' is sold by Columbia Pictures. Much propaganda has gone forth in an effort to convince members of Congress that the Neely Bill is a necessity because exhibitors have purchased this outstanding picture as a part of Columbia's program for 1939-'40. Frank Capra's 'Mr. Smith Goes to Washington'

(*Continued on page 8*)

Deadline for Trust Answers Extended

Extension of time until Nov. 30 for United Artists Corp. to file answers to the government's 68 interrogatories in its anti-trust suit against eight majors was granted yesterday in U. S. District Court. Trust Division aides indicated that the same extension of time will be given to other defendants in the suit.

Capitol, Astor Open 'Wind' December 19

Metro's "Gone With the Wind" is set to open for extended runs at the Astor and Capitol on Broadway the night of Dec. 19.

The Selznick picture will have a two-a-day run at the Astor at roadshow prices. At the Capitol there will be three shows a day with a one-hour interlude between performances. At the Capitol an extra show may be added on Saturdays and Sundays. The picture runs three hours and 38 minutes.

Ascap Foes Lose In 14 Legislatures

Anti-Ascap legislation was introduced in 19 states and Alaska during the current year's legislative sessions, and enacted in five states and Alaska.

The legislation was defeated in 14 states and was vetoed after enactment in New Mexico, according to a tabulation just completed by the music licensing society.

The states in which anti-Ascap legislation was enacted are Kansas, North Dakota, Vermont, Montana and New Mexico. However, anti-Ascap legislation was enacted in Montana in 1937 and the new bill, which was passed this year, merely served to repeal the old legislation and replace it with a modified anti-Ascap law. Thus, after the veto of the New Mexico bill, only three states were added this year to the list of those having anti-Ascap laws.

Of these three, the Kansas and North Dakota laws contain clauses

(*Continued on page 2*)

21 STUDIO UNIONS IN STRIKE THREAT

Bill Bars Smoking On Lower Floors; Waits Mayor's O.K.

A bill to prohibit smoking on the orchestra floors of all theatres is awaiting Mayor LaGuardia's signature.

Many houses which have no balconies and therefore permit smoking on one of the side sections will be compelled to discontinue the practice if the bill is signed.

Under the terms of the measure, houses wishing to take advantage of the clause which permits smoking in the balconies will be compelled to fireproof the carpeting.

Burlesque theatres which allow

(*Continued on page 3*)

20,000 Attendance For 'Night of Stars'

A capacity attendance estimated at 20,000 thronged Madison Square Garden last night for the sixth annual "Night of Stars" show for refugee aid, sponsored by the United Palestine Appeal. Scores of entertainers were on the program, which began at 8:30 o'clock and wound up about 1 o'clock this morning.

Nathan Straus, Federal Housing Administrator, was chairman of the affair, heading a committee of more than 500. More than $20,000 in box

(*Continued on page 3*)

Demand 10% Wage Boost By 2:30 P.M. Monday; IA Defends Stand

HOLLYWOOD, Nov. 15.—Twenty-one studio craft unions today served notice on the producers that they would go out on strike unless all of them are given a 10 per cent wage increase, similar to the one recently granted to the I. A. T. S. E., by 2:30 p.m. Monday.

I. A. T. S. E. leaders, meeting this afternoon, flatly refused to surrender the 10 per cent raise at the behest of producers, who argued that retrenchments, not additional financial burdens, are imperative in view of the deflated European market.

At the same time those unions belonging to the newly-formed Conference of American Federation of Labor Studio Unions told producers' representatives that a 10 per cent wage boost must be granted, or "action" would be the result.

The wage increase would be retroactive to August 12, when the I. A. T. S. E. hike went into effect, according to union demands.

Studio Refusal Hinted

Producers declared that they believed the industry would adamantly refuse to grant the increase, adding, however, that the problem would be submitted directly to New York company officials for a formal decision.

Studio heads issued the following statement:

"The crafts demanded a flat 10 per cent increase on present base rates of pay. The producers presented figures showing the effects of the World War upon receipts of studios, and stated that it was necessary for the studios to make a substantial retrenchment rather than to give any increase at the present time.

Monday Afternoon Deadline

"The producers offered to show to a committee, to be appointed by employe groups, the accuracy of the figures presented. The employe groups stated that they must have an agreement to increase the wages immediately, and told producers that unless the increase is granted by Monday at 2:30 p.m. they would take action.

"The producers stated that the time given was altogether out of reason and asked for a reasonable length of time, both to consult their principals

(*Continued on page 4*)

Quotas to Stay Till March, Trade Believes in London

London, Nov. 15.—It is believed in some sections of the trade here that the quota provisions of the Films Act will be retained until March, and that any new films legislation will date from that time.

It is also believed that American distribution companies, in all probability, will be allowed to export 35 per cent of their English revenues, or approximately $17,500,000 annually, as was indicated in Motion Picture Daily recently.

The opinion also has been expressed that the percentage may be increased if a lending plan under which American industrial interests could finance munitions making is developed.

Meanwhile, the Films Council, which meets tomorrow, is expected to table the motion calling for an immediate statement of policy on the film situation from the British Board of Trade.

Film Accessories Aid Charity Drive

The accessories group of the Amusements Division in the 1939 campaign of the New York and Brooklyn Federation of Jewish Charities was organized yesterday at the Hotel Astor. B. S. Moss is again chairman of the accessories committee.

A total of $7,000,000 is being sought in the drive, which started last Sunday and ends Jan. 31. David Bernstein and Major Albert Warner are co-chairmen of the Amusements Division.

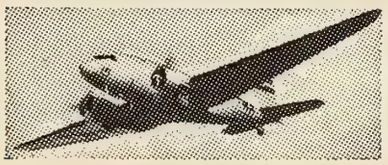
The accessories group includes Walter Barber, Laurence Bolognino, Bernard Brandt, Jules Catsiff, Max A. Cohen, George Feinberg, M. J. Fessler, Emil Friedlander, William Friedman, Emanuel Frisch, Miss I. Garretson, Joseph Hornstein, Joe Katsch, A. L. Kirwan, Stanley Colbert, Ben Knobel, Fred Lakeman, Jerome M. Loeb, Bud Litton, Milton Maier, Harry A. Nadel, Eugene Picker, Arthur M. Rapf, Walter Reade, Jr., Fred Schwartz, Jr., Edward Seider, Max Seligman, Charles Sonin, Monroe E. Stein, James E. Stroock and Al Suchman.

Loew's Stockholders Sue

Loew's, Inc., American Telephone & Telegraph Co., Weco Corp., Erpi, Western Electric Co. of New York, Chase National Bank, Halsey Stuart and Co., Inc., and Clarence Dillon were named defendants yesterday in a N. Y. Supreme Court suit by Norman Wolf and Mannes Fuld, Loew's stockholders. Licensing contracts between A. T. & T. and Loew's providing for leasing of sound equipment is attacked by the suit.

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Purely Personal

GEORGE J. SCHAEFER, president of RKO, returned yesterday to New York.

•

OSCAR DOOB, ERNEST EMERLING, JACK COHN, ARTHUR LEE, IRVING ASHER, NEIL AGNEW, ED CHURCHILL (Donahue & Coe), ARTHUR KELLY, WILLIAM FITELSON, CHARLES CASANAVE and EDDIE DUCHIN at BOB GOLDSTEIN'S Tavern for lunch yesterday.

•

AUSTIN KEOUGH, OTTO PREMINGER, ARTHUR MAYER, SAM SHAIN, JOHN GOLDEN, SIDNEY PHILLIPS, TONY MARTIN, MARTIN BECK and WALLACE FORD lunching at Sardi's yesterday.

•

RALPH KOHN, MAX A. COHEN, GEORGE WELTNER, JOHN HICKS, TOBY GRUEN, LOUISE RAINER, GEORGE SKOURAS and TOM CONNORS at Nick's Hunting Room in the Astor for lunch yesterday.

•

J. J. ALEXANDER, formerly representative of International Business Machines for the motion picture industry, is now connected with Remington Rand.

•

KENNETH THOMSON, executive secretary of Screen Actors Guild, arrived from Hollywood yesterday. He plans to remain here about one week.

•

A. H. BLANK and RALPH BRANTON of Tri-States circuit left last night on their return to Des Moines.

•

MAURICE DEKOBRA, French playwright, addressed the Overseas Press Club yesterday.

•

HUGO SONNENSCHEIN, Chicago attorney for B. & K., is in New York for a brief visit.

•

TED O'SHEA, M-G-M district manager, returned yesterday from Rochester.

•

JAMES ROOSEVELT has returned to New York from Chicago.

•

ERICH POMMER arrived yesterday from the Coast.

•

SID GRAUMAN is here from Hollywood.

Ampa 'Surprise'

Ampa officers have prepared a "surprise" for the luncheon meeting at Stouffer's restaurant today, the nature of which they refuse to disclose. The scheduled program includes Gail Patrick, Wallace Ford, Frederic Ullman, Jr., general manager of Pathe News, in addition to John Kieran of "Information Please," and Dan Golenpaul, producer of the radio show.

Form 'U' Cuba Office

New U Films of Cuba has been formed to distribute for Universal in that area. Ramon Garcia heads the new company as Universal's special representative. Universal product formerly was distributed in Cuba through an agent. The new company will become operative Monday.

Startling Decision By Harry Brandt

Harry Brandt has been listening to the radio since Oct. 9, checking up on film stars who broadcast. He has reached this conclusion:

"The complete removal of star names from the radio is the only solution to the problem that is now of major importance in the industry."

He embodies this conviction in a letter to a number of exhibitors.

Greenthal to Canada On New Korda Film

Monroe Greenthal, director of exploitation of United Artists, left last night for Toronto, Ottawa and Montreal in connection with the showing in Canada of Alexander Korda's latest picture, "The Lion Has Wings." Greenthal is going directly to Toronto and will be in Ottawa on Friday and in Montreal on Monday. In Canada, this patriotic British picture will be given the official Dominion blessing.

Educators to See 'Essex'

Supt. of Schools Campbell and principals of 37 high schools will attend a special showing today of Warner's "The Private Lives of Elizabeth and Essex" at the company's home office.

Women to Hear Hode

Hal Hode, Columbia executive, will speak at a dinner of the Engineering Woman's Club tonight. His subject will be "The Movies Grow Up."



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Ascap Victor In 14 States, Loser in Five

(*Continued from page* 1)

making them inapplicable to existing license contracts.

The Vermont law does not bar the society from operating within the state, but is merely a mild tax measure. Thus, it is unlikely that Ascap will contest any of the new measures at this time.

The 14 states in which the legislation was introduced this year, but defeated, are Alabama, Arkansas, Colorado, Connecticut, Illinois, Indiana, Michigan, Minnesota, Ohio, Oklahoma, Oregon, Pennsylvania, Texas and Wisconsin.

States having anti-Ascap legislation, but which was enacted prior to this year, are Washington, Montana, Nebraska, Florida and Tennessee. These are all laws which would bar the society from operating within the state, and all are in process of litigation to test their constitutionality. Decisive decisions in the Nebraska, Washington and Florida cases may be had in the near future.

Ascap obtained an injunction against the Tennessee law and the state has not challenged the restrainer up to now. The first Montana law was litigated, and it is believed likely that Ascap also will challenge the new law enacted this year.

Ascap tax laws are in effect in Delaware, Georgia, Louisiana and Wisconsin.

Other states in which anti-Ascap legislation has been introduced but defeated, prior to 1930, are Alabama, Illinois, Indiana, Iowa, Louisiana, Minnesota, Missouri, New York and Ohio. In all, the legislation has been introduced in 30 states and Alaska, to date.

It has become law in eight states, but up to now has been put into effect only in Washington and Montana, where injunctions were denied Ascap pending a determination of the constitutionality of the laws.

Transatlantic Brochure

Transatlantic Distributors, Inc., has a brochure listing its releases for the season, "Safia," "Conflict," "L'Emigrante," "Derniere Jeunesse," "White Slave Girl" and "Innocence."

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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Deny Lower Price Trend In Midwest

(Continued from page 1)

than the usual price adjustments which follow introduction of new competition or clearance revisions.

A. H. Blank of Tri-States circuit, Des Moines, made a similar report of conditions in his territory, which includes widely separated sections of Iowa and Nebraska.

Wichita ITOA Fights Reductions in Prices

KANSAS CITY, Nov. 15.—Wichita, Kan., Independent Theatre Owners Association has called on branch managers here to cooperate in the association's effort to eliminate practices which tend to lower admissions in certain Wichita theatres "below the established admission price spot on which they are being served pictures."

The appeal to the exchanges was made in a letter signed by O. F. Sullivan, president, and Page Huston, secretary-treasurer.

The association is responsible also for seven of the independent houses, four charging 15 cents and three 10 cents, cooperating in newspaper advertisements to offer two admissions for the price of one as a regular policy. Apparently the association is aiming at Harold Gibbons and his New Theatre, which, on a 15-cent spot, has been offering two admissions for one with a newspaper coupon for several weeks. Fox Midwest houses have used some forms of 2-for-1, and other forms of indirect admission reduction, such as script books at 20 per cent off.

The letter to exchanges asserts that individual independents have protested about the admission reductions with little effect. "Members of this association therefore feel that they have no other alternative but to fight fire with fire in the exhibition of certain product until the distributors of these products seek to cooperate with us and serve their pictures on a run in keeping with the admission price changed for their product at the box-office."

'Smith' with $4,500 Leads in St. Louis

ST. LOUIS, Nov. 15.—"Mr. Smith Goes to Washington," attracted a good $4,500 in its third week. The Fox, with a Major Bowes unit and "Honeymoon in Bali," took $13,500.

Estimated takings for the week ending Nov. 9:

"The Real Glory" (U.A.)
LOEW'S STATE — (3,162) (25c-55c) 7 days. Gross: $11,500. (Average, $13,000)
"Honeymoon in Bali" (Paramount)
FOX — (5,038) (25c-55c) 7 days. Major Bowes unit. Gross: $13,500. (Average, $11,000)
"The Private Lives of Elizabeth and Essex" (W.B.)
AMBASSADOR—(3,018) (25c-55c). 7 days. Gross: $9,000. (Average $11,500)
"Mr. Smith Goes to Washington" (Col.)
MISSOURI—(3,514) (25c-55c). 7 days. Gross: $4,500. (Average, $4,000)

Jules Levy Recovering

HOLLYWOOD, Nov. 15.—Jules Levy, former general sales manager for RKO, who recently underwent an operation at the Mayo Clinic, Rochester, Minn., is recuperating at the Hotel Ambassador.

British Exhibitors Fight Long Shows

London, Nov. 15.—To eliminate long programs, British exhibitors may go into a huddle with distributors. The question has been discussed in various provincial centers, where excessively long programs are regarded as a form of price cutting, especially in the face of restricted opening hours. As a result of appeals from these spots the C.E.A. General Council will be asked to approach the K.R.S. (distributors).

Kyser Film Premiere Held in Rocky Mount

ROCKY MOUNT, N. C., Nov. 15.—Kay Kyser came home today and was welcomed by virtually every citizen of his native town. The occasion was the world premiere of his RKO film, "That's Right, You're Wrong." Visitors from throughout the state, headed by Governor Hoey of North Carolina, were on hand to greet the native son.

Kyser, Governor Hoey and Ned E. Depinet, vice-president of RKO, who led a delegation from the RKO home office, toured the city. At 1 P.M. the film was shown at the Carolina and Center Theatres. A parade started at 3 P.M. The premiere was held this evening, with Kyser broadcasting his regular NBC program from the stage of the Center. A homecoming dance at a tobacco warehouse concluded the festivities.

The RKO group will leave for New York early tomorrow morning. It includes Depinet, Cresson E. Smith, S. Barrett McCormick, David Butler, director, and Ken Hallam.

Paramount London House Drops Films

LONDON, Nov. 15. — The Carlton Theatre, Haymarket, one of Paramount's two West End show houses, normally the home of pre-release Class A features, is to give up films. Earl St. John, theatre chief of Paramount in Britain, has applied formally for a stage license, and plans putting on stage shows. Much depends, meanwhile, on the reopening situation with London theatres.

B-K Seeking Delay In Government Suit

CHICAGO, Nov. 15.—Defense attorneys in the Government action against Balaban & Katz declared today that they would seek additional time in which to file answers.

Meanwhile, the suit of independent exhibitors against Balaban & Katz today was postponed for at least six weeks.

Gets Ross Federal Post

O. K. Swann has been appointed Ross Federal Service branch manager in Detroit. Formerly with United Artists and M-G-M, Swann has been with Ross Federal for six years as branch manager in New Haven and more recently as field executive for the Credit Promotion Division.

English Army Film Situation Muddled

LONDON, Nov. 15.—New confusion in the situation with regard to the supply of films for English troops has followed the resignation of Sir Adrian Baillie as chairman of the recently formed Army Films Council, which had American collaboration.

Although on official announcement has been made, it is known that the Council is an overlapping agency, since members of the Kinematograph Renters Society (distributors) are supplying films for troops through the original National Association of Army Films.

American distributors here insist that they are willing to supply films through any accredited organization, but have indicated increasing exasperation over the numerous changes of policy on the part of the Government. Meanwhile, it is understood the Cinematograph Exhibitors Association is trying to save the new Army Films Council.

Twelve American features on standard 35mm., and eight on 16mm. film will be shipped to France on Saturday, as well as the usual shipment of newsreels.

ITOA 'Dissatisfied' Over Wage Boost

There was an official announcement made yesterday that the I. T. O. A. (Brandt) felt "great dissatisfaction" over the 10 per cent salary increase which was awarded projectionists in independent theatres by an arbitration board.

This announcement was made following a meeting of the I. T. O. A. membership at which terms of the salary agreement were revealed.

At the meeting Brandt personally let it be known that he was embarking on a trip around the country to look things over. It is his intention to reach Hollywood Dec. 1, but before this he will try to learn about industry conditions in various cities so that he can get a "consolidated" view of industry problems.

Brandt plans to return to New York for the Christmas holidays.

Filipino Fete Draws Foreign Trade Men

Members of film companies' foreign departments were among those attending a dinner-dance at the Paradise Restaurant last night, celebrating the fourth anniversary of the Philippine Commonwealth.

Rafael Rufino, circuit executive in the Philippines, now visiting here, was chairman of the committee, aided by Dr. José Mejía and Severo George Villegas of the Rufino circuit, who was master of ceremonies.

Gail Patrick, Edmond O'Brien and Ray Whitley were among guests of honor. Among those present were Ben Y. Cammack, Michael Hoffa, Jerry Keyser, H. Alban Mestanza and Miss Ester Rufino.

Schenck Aids Drive

HOLLYWOOD, Nov. 15. — Joseph M. Schenck, who arrived by plane this morning and went into studio conferences, has received notification of his appointment as California state chairman of the National Infantile Paralysis Foundation.

'Night of Stars' Draws 20,000, Helps Charity

(Continued from page 1)

seat tickets were sold through the Women's Division headed by Mrs. Joseph Stroock.

WHN carried the show from 9:45 to 12:45 o'clock under sponsorship of I. J. Fox. The Loew-owned radio station turned the check over to the United Palestine Appeal.

The long parade of personalities before the microphone included performers from the Radio City Music Hall, Roxy, Paramount and Strand, as well as others of the screen, stage and radio.

Marvin Schenck of Loew's and Ben A. Boyar were active in producing the show as associate chairmen of the producing committee. Honorary chairmen of the committee were Barney Balaban, David Bernstein, Nate J. Blumberg, Jack Cohn, George J. Schaefer, Joseph M. Schenck, Murray Silverstone and Major Albert Warner.

Louis K. Sidney of Loew's was chairman of the producing committee. Other active members were John Shubert, Irving Berlin, George Jessel, Alexander Smallens, Lester Isaacs, Arthur Knorr, Leon Leonidoff, Herbert I. Rosenthal, Harry Mayer, Fred Roehrenbeck, Sidney Piermont, Harry Kalcheim, Larry Puck and Ed Sherman.

Bill Bars Smoking On Lower Floors

(Continued from page 1)

smoking in all seats will be required to limit it to the balcony. Legitimate houses will be unaffected because they have never permitted smoking, except in the foyers, and are not likely to change the practice.

At present, there are no restrictions against smoking except that it is not permitted backstage. Draperies and other hanging decorations must be fire-proof under Fire Department regulations.

Signing of the bill, passed by the City Council after having been introduced by Genevieve Earle, is being delayed by the Mayor at the request of exhibitors operating stadium-type theatres. These houses lack balconies, but have a rear section which is separated by a railing. The floor rises gradually to give rear seats a better view.

The Mayor believes that smoking should be permitted in such rear sections, and has requested the Corporation Counsel's office to render an opinion about the wording of the law.

'Winkle' Starts Jan. 3

HOLLYWOOD, Nov. 15. — Monogram today announced Jan. 3 as the starting date for "Rip Van Winkle," which is asserted to carry the highest budget ever allocated by the company. Scott R. Dunlap, vice-president in charge of production, is testing talent for the title role.

Strike Threat In Hollywood Over Wages

(Continued from page 1)

and present facts to the craft groups. This the craft groups refused to give.

"They first stated that the request of producers for the surrender of the 10 per cent raise already granted was refused by the I.A.T.S.E. and that they demanded, in addition, an increase of 10 per cent for all other crafts."

Presiding at the meeting was E. J. Mannix. Others present were Y. Frank Freeman, J. R. McDonough, Frank Ross, William Goetz, Cliff Work, Walter F. Wanger, Herbert Freston and M. B. Silberberg.

Representing the unions were William Bioff, Meyer Lewis, acting for President William Green of the A. F. of L.; J. W. Buzzell, secretary of the Los Angeles Central Labor Council, and about 50 other union representatives.

Lewis told the producers that the entire resources of the American Federation of Labor would be behind the studio crafts in the case of a walkout.

"A. F. of L. unions are taking concerted action for the benefit of smaller and less powerful unions in the studios who had consistently been ignored in previous upward revisions of wages," he said. "Too few in the industry are getting too much while too many are getting too little."

Buzzell, who also addressed the gathering, declared that "the time has come to correct a maladjustment of salaries, which made it impossible for the little fellow averaging $1000 yearly to gain a livelihood while the industry passed out the bulk of its gains to top executives and others."

In addition to I. A. T. S. E. locals, craft groups in the Conference are plumbers, machinists, operating engineers, sheet metal workers, plasterers, building service employes, blacksmiths, molders, sign and picture painters local 831, studio utility employes, studio drivers, I. B. E. W. Electrical Workers and metal polishers.

The Screen Publicists Guild tonight was awaiting a telegraphic notice from New York that it had been granted an I.A.T.S.E. charter, making it a new local of the Alliance in Hollywood and part of the Conference of A. F. of L. Studio Unions.

Presentation of the charter was scheduled to take place at a mass meeting of members late tonight at the Hollywood Roosevelt Hotel.

Affiliation with the I.A.T.S.E. was voted following the producers' refusal to sign a contract which has been in effect since Oct. 9.

Set Hearing on House

MINNEAPOLIS, Nov. 15.—A controversy, which has been before the City Council for two years, whether to grant a theatre operating license to H. L. Griffith for a projected house here, will come before the Council again Dec. 6.

Elson to Film Alliance

Norman Elson, for the past six years general manager for the Harry Brandt Theatres, has been named general manager of sales for Film Alliance of the United States, by Nat Wachsberger, vice-president.

Theatre, Personnel Notes

Plan New Shea Theatre

Completed plans for a new theatre at New Philadelphia, O., have been received by E. C. Grainger, general manager of Shea Theatres. Bids for construction will be received immediately after Dec. 1. Opening is planned for the Spring. The plans were delayed because of illness of the architect, Harry C. Holbrook, of Columbus, O.

Reopens Nebraska House

DENVER, Nov. 15.—Edward Mapel has reopened the State at Platte, Neb. Vern Austin, who has resigned as manager of the Gem, Golden, Col., will manage the State. C. M. Yaeger has moved Raymond Lounsbury from the Pioneer, Lamar, Col., to the Gem, George Hodges goes from the Gothic, Denver, to Lamar, and Ralph Hamilton, assistant at the Gothic, has been named manager there.

Fire Razes N. C. House

CHARLFTTE, N. C., Nov. 15.—The Ritz at Union, S. C., was practically destroyed by fire. It was operated by the All-States Theatres at Talladega, Ala. Loss was estimated at $60,000.

Reopen Chicago Theatre

CHICAGO, Nov. 15.—The Schoenstadt circuit has reopened the Peoples Theatre after removeling at a cost of $50,000. New seats, sound and lighting equipment were installed.

Reopening Conn. House

BANTAM, Conn., Nov. 15. — The Bantam, closed for the past six weeks, will reopen this week.

Lawing Takes House

CHARLOTTE, N. C., Nov. 15.—The new Roxy at Albemarle, N. C., will be operated by Eugene Lawing, former sports writer of the *Charlotte Observer*, and former manager of the North Carolina State and Carolina baseball leagues. He is a nephew of C. G. Lawing, owner of the new Roxy.

Open Groton This Week

GROTON, Conn., Nov. 15.—Groton's first theatre, the Groton, is scheduled to open this week. Mr. and Mrs. D. C. Hess, operators of the Moosup, built the house.

Renovates Conn. Spot

TAFTVILLE, Conn., Nov. 15.—Hyman Schwartz will renovate his 400-seat Hillcrest, including a new marquee, redecorated front and lobby.

Remodel Fain Unit

DUNNELLON, Fla., Nov. 15.—Extensive remodeling and installation of new sound equipment at the Lyric theatre here is nearing completion. The Lyric, one of the Fain group of theatres, is under the local management of Gordon Cooper.

Convert Newark Theatre

Terminal, Newark, formerly a Skouras theatre, has been converted into an auditorium.

Open Brooklyn House

The Kent, new 590-seat theatre at 1170 Coney Island Ave., Brooklyn, was opened Saturday by the Justin Realty Corp. Irving Sockol is president of the concern.

Shift Paramount Salesmen

CHARLOTTE, N. C., Nov. 15.—Scott Lett has been appointed manager of the Paramount exchange here, succeeding H. E. Pickett, who resigned because of ill health. Saul Frifield of the Memphis exchange has been shifted here to replace Lett as salesman. Horace Wright of Atlanta has been moved here to replace Barney Slaughter, injured in an automobile accident, and William Holliday has been transferred here as salesman from the New York exchange.

Photophone Deals Closed

The following theatres will install RCA Photophone sound equipment under deals recently closed: Star, Camden, N. J.; Weslin, Massillon, and the Bryan, Bryan, Ohio; Park, Highland Park, Pa.; Ridge, Chicago; Roxy, Pendleton, and the Rialto, Fortville, Ind.

Re-Equip Hartford House

HARTFORD, Conn., Nov. 15. — The Princess, operated by Martin H. Keleher, has been equipped with new sound apparatus and other improvements have been made.

Open St. Louis Suburban

ST. LOUIS, Nov. 15. — The new $350,000 Esquire, suburban house, has been opened here. The house will play second run films, with an occasional stage show.

Opening Missouri House

QUEEN CITY, Mo., Nov. 15.—G. W. Hamilton is remodeling a building here into a theatre, the Queen, which will be opened about Dec. 15. The town has not had a house before.

Reopening in Missouri

NOVENGER, Mo., Nov. 15.—E. W. Fergusen is opening the Ritz here after remodeling and the installation of new seats.

Reopen in Linneus, Mo.

LINNEUS, Mo., Nov. 15.—Rains & Pool are reopening the Dixie here. The partners formerly operated theatres at Eddyville, Ia.

Opening Iowa Theatre

MARSHALLTOWN, Ia., Nov. 15.—Earl Kerr, who operates houses at Albany and Bethany, Mo., will open the new Odeon about Jan. 1. Seating 900, the house cost an estimated $60,000.

Travis to Open House

NIXON, Mo., Nov. 15.—The Elite, dark for several months, will be reopened shortly by John Travis.

Interstate Shifts Men

SAN ANTONIO, Nov. 15.—Personnel changes announced by Interstate Circuit here are as follows: Robert Nelson, assistant manager of the Aztec, is shifted to assistant manager of the Majestic, while Sylvan Berrey, assistant manager of the Empire, is transferred to the Texas in the same capacity. Edward Hale, who was assistant manager of the Texas, is moved to the Aztec as assistant.

Manages Two in St. Louis

ST. LOUIS, Nov. 15.—Louis Landau, former operator of the Colonia and Manchester, now managing the Leman and Southway, South St. Louis neighborhood houses.

'Smith' Holds Lead for L.A. With $21,000

LOS ANGELES, Nov. 15.—"Mr. Smith Goes to Washington," in the third week, dualled with "Behind Prison Gates," took $21,000 at two houses, $10,500 at the Hillstreet and $10,500 at the Pantages. "Intermezzo" (day and date) $7,900 at the 4 Star.

Estimated takings for the week ending Nov. 15:

"Drums Along the Mohawk" (20th-Fox)
"Too Busy to Work" (20th-Fox)
CHINESE—(2,500) (30c-$1.00) 7 days. Gross: $13,000. (Average, $12,500)
"Intermezzo" (U. A.)
4 STAR—(900) (40c-50c) 7 days. Gross: $7,900. (Average, $3,250)
"Mr. Smith Goes to Washington" (Col.)
"Behind Prison Gates" (Col.)
HILLSTREET—(2,700) (30c-65c) 7 days, 3rd week. Gross: $10,500. (Average, $6,500)
"Drums Along the Mohawk" (20th-Fox)
"Too Busy to Work" (20th-Fox)
LOEW'S STATE—(2,500) (30c-$1.00) 7 days. Gross: $17,200. (Average, $14,000)
"Mr. Smith Goes to Washington" (Col.)
"Behind Prison Gates" (Col.)
PANTAGES—(3,000) (30c-65c) 7 days, 3rd week. Gross: $10,500. (Average, $7,000)
"Our Neighbors—the Carters" (Para.)
PARAMOUNT—(3,595) (30c-65c) 7 days. Stage: F. & M. revue, "The Mikado in Swing." Gross: $15,000. (Average, $15,000)
"The Roaring Twenties" (W. B.)
"Pride of the Bluegrass" (W. B.)
WARNER BROS. (Hollywood)—(3,000) (30c-65c) 7 days, 2nd week. Gross: $8,300. (Average, $14,000)
"The Roaring Twenties" (W. B.)
"Pride of the Bluegrass" (W. B.)
WARNER BROS. (Downtown)—(3,400) (30c-65c) 7 days, 2nd week. Gross: $10,000. (Average, $12,000)

Sunday Film Plan Fought in England

LONDON, Nov. 2 (*By Mail*)—The Lord's Day Observance Society, leading Sabbatarian body, has launched an offensive against the proposed general Sunday opening of picture houses.

It is suggested by spokesmen of the L.D.O.S. that motives of financial gain are behind the move, and that vested interests are taking advantage of the national emergency.

Moves in the direction of general Sunday opening, which would be permissible without local polls and licenses, by an Order in Council, have come from the military authorities, who see therein a solution of the problem of recreation and relaxation for the troops in camp areas.

Twin City Club Plans Milk Fund Support

MINNEAPOLIS, Nov. 15.—The Twin City Variety Club will take over the milk fund, hitherto supported by a group of women, as its permanent charity, according to W. A. Steffes, chief barker.

Last year the club conducted a drive to raise $25,000 for refugee relief. The organization, Steffes said, will raise enough money this year so that no poor children in Minneapolis will be deprived of milk.

Hold Nicholls Services

HOLLYWOOD, Nov. 15.—Funeral services were held here this afternoon at the Wee Kirk of the Heather for George Nicholls, Jr., RKO director, who was killed Monday when his car crashed into Coldwater Canyon. The body was cremated.

Motor Strike Still Hits Detroit Gross

DETROIT, Nov. 15.—Box-office receipts at local theatres showed only average and below average figures for the second successive week because of the Chrysler strike, which has thrown 150,000 persons out of work.

Estimated takings for the week ending Nov. 9:

"Call a Messenger" (Univ.)
"Hero for a Day" (Univ.)
ADAMS—(1,700) (15c-40c) 7 days. Gross: $4[illegible] (Average, $5,000)
"Each Dawn I Die" (W. B.)
"Honeymoon in Bali" (Para.)
FISHER—(2,500) (15c-40c) 7 days. Gross: $4,300. (Average, $5,000)
"Mr. Smith Goes to Washington" (Col.)
"Beware of Spooks" (Col.)
FOX—(5,000) (25c-55c) 7 days. Gross: $10,500. (Average, $12,000)
"On Your Toes" (W. B.)
"Jamaica Inn" (Para.)
MICHIGAN—(4,000) (15c-60c) 7 days. Gross: $10,000. (Average, $10,000)
"Disputed Passage" (Para.)
"The Old Maid" (W. B.)
PALMS—(3,000) (15c-50c) 7 days. Gross: $4,800. (Average, $5,000)
"At the Circus" (M-G-M)
UNITED ARTISTS—(2,100) (15c-55c) 7 days. Gross: $9,500. (Average, $10,000)

'Twenties' Scores $12,000, Cleveland

CLEVELAND, Nov. 15.—"Mr. Smith Goes to Washington," at the Allen, took $5,000 in its third week. "Jamaica Inn" at Low's State and "The Roaring Twenties" at Warners' Hippodrome each drew $12,000.

Estimated takings for the week ending Nov. 9:

"Mr. Smith Goes to Washington" (Col.)
ALLEN—(3,000) (30c-35c-42c) 7 days, 3rd week. Gross: $5,000. (Average, $4,000)
"The Roaring Twenties" (W. B.)
WARNERS' HIPPODROME — (3,800) (30c-35c-42c) 7 days. Gross: $12,000. (Average, $11,000)
"On Your Toes" (W. B.)
RKO PALACE—(3,100) (30c-42c-55c) 7 days. Joe E. Brown on stage. Gross: $13,000. (Average, $14,000)
"Jamaica Inn" (Para.)
LOEW'S STATE—(3,500) (30c-35c-42c) 7 days. Gross: $12,000. (Average, $11,000)
"Babes in Arms" (M-G-M)
LOEW'S STILLMAN—(1,900) (30c-35c-42c) 7 days, 3rd week. Gross: $4,000. (Average, $4,000)

Record Business Enjoyed in Buffalo

BUFFALO, Nov. 15.—"Honeymoon in Bali" and a personal appearance of Horace Heidt and his band broke all records at the Buffalo with $29,600. "The Real Glory" was a smash $10,400 at the Great Lakes. This was the best all-around week for downtown houses in many years.

Estimated takings for the week ending Nov. 11:

"Honeymoon in Bali" (Para.)
BUFFALO—(3,000) (30c-35c-55c) 7 days. Stage: Horace Heidt and band. Gross: $29,600. (Average, $12,000)
"The Real Glory" (U.A.)
GREAT LAKES—(3,000) (30c-50c) 7 days. Gross: $10,400. (Average, $7,500)
"The Shall Have Music" (U.A.)
"Fast and Furious" (M-G-M)
HIPPODROME—(2,500) (25c-35c) 7 days. Gross: $7,200. (Average, $6,800)
"Allegheny Uprising" (RKO)
"Flying Deuces" (RKO)
TWENTIETH CENTURY—(3,500) (25c-35c) 7 days. Gross: $8,000. (Average, $5,200)
"Mr. Smith Goes to Washington" (Col.)
LAFAYETTE — (3,300) (25c-35c) 7 days. 3rd week. Gross: $8,300. (Average, $6,300)

'Alone' Press Book Out

Exhibitors this week received the Warner press book on "We Are Not Alone," starring Paul Muni. Finished in glazed heavy covers, the book contains selling points of the film, publicity material, quotes from reviews and exploitation suggestions.

Exploitation

Army Recruiting Tie-up on 'Glory'

ST. LOUIS, Nov. 15.—Exploiters at Loew's State induced the U. S. Army recruiting station to co-operate in spotting two-way posters over town urging young men to join the army for glory, but if they wanted to see "Real Glory," the picture, to come to the theatre.

'Roaring Twenties' Gets News Buildup

Warner Bros. press agents got the New York dailies to splurge with pictures and type on the "Roaring Twenties," current at the Broadway Strand. The radio also was used. The motif in most of the newspaper copy and photographs related to the speakeasy era in Manhattan.

Timeliness Stressed With 'U Boat 29'

VANCOUVER, B. C., Nov. 15.—By capitalizing on the timeliness of "U Boat 29," Manager Norman Duncan of the Famous Players Strand aided in chalking up a house record for the picture. Norman concentrated on pointing out the pertinence of the film to current war headlines. He also pushed store window displays.

'Mr. Smith' Run Tied With Kaltenborn Stint

SAN FRANCISCO, Nov. 15.—A dividend-paying tieup on "Mr. Smith Goes to Washington," at the Orpheum, was arranged by Hal Neides, manager, with KSFO, over which station H. V. Kaltenborn's daily news program is broadcast. Kaltenborn appears in the film.

Cinderella Theme Plugs 'First Love,' Providence

PROVIDENCE, Nov. 15. — George French, manager, and William Morton, publicist, of the RKO Albee here, used a Cinderella theme for their tiein on "First Love," with Morse's Shoe Store. The store displayed a small woman's shoe, promising four pairs to any woman who could get into it.

Oklahoma City Take Cut by Holdovers

OKLAHOMA CITY, Nov. 15.—With holdovers predominating, grosses were off here. The best comparative business was done by "Babes in Arms," in the third week at the Plaza, with $1,400. The weather was cool and fair.

Estimated takings for the week ending Nov. 9:

"The Roaring Twenties" (W. B.)
CRITERION—(1,500) (25c-35c-40c) 7 days. Gross: $3,800. (Average, $4,500)
"Pack Up Your Troubles" (20th-Fox)
"The Escape" (20th-Fox)
LIBERTY—(1,200) (15c-20c-25c) 7 days. Gross: $2,600. (Average, $2,400)
"At the Circus" (M-G-M)
MIDWEST—(1,500) (25c-35c-40c) 7 days. Gross: $3,500. (Average, $3,250)
"Babes in Arms" (M-G-M)
PLAZA—(750) (25c-35c-40c) 7 days, 3rd week. Gross: $1,400. (Average, $1,100)
"Mr. Smith Goes to Washington" (Col.)
STATE—(1,100) (25c-35c-40c) 7 days, 3rd week. Gross: $3,000. (Average, $3,000)
"The Old Maid" (W. B.)
TOWER—(1,000) (25c-35c-40c) 7 days, 2nd week. Gross: $1,700. (Average, $1,750)

'Babes' Montreal's Best Bet with $9,100

MONTREAL, Nov. 15. — "Babes in Arms" accounted for the best gross of the week with $9,100 at the Capitol. Second week of "Jamaica Inn" grossed $6,500 at the Palace.

Estimated takings for the week ending Nov. 10:

"Babes in Arms" (M-G-M)
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days. Gross: $9,100. (Average, $8,000)
"The Women" (M-G-M)
LOEW'S—(2,800) (30c-40c-60c) 7 days, 2rd week. Gross: $5,300. (Average, $8,000)
"The Real Glory" (U. A.)
ORPHEUM—(919) (25c-35c-50c) 7 days, 2nd week. Gross: $2,300. (Average, $5,000)
"Jamaica Inn" (Para.)
PALACE—(2,600) (25c-40c-55c-65c) 7 days, 2nd week. Gross: $6,500. (Average, $10,000)
"Here I Am A Stranger" (20th-Fox)
"Pack Up Your Troubles" (20th-Fox)
PRINCESS — (2,272) (25c-35c-50c-65c) 7 days. Gross: $4,900. (Average, $6,000)

Gehring to Detroit

William C. Gehring, Central division manager for 20th Century-Fox, left last night to conduct a sales meeting today at the company's Detroit branch and another at Buffalo tomorrow. He will return Saturday.

Frisco May Limit Seating Capacity

SAN FRANCISCO, Nov. 15.—A proposal that may restrict profits of small theatre operators here, by reducing from 400 to 300 the seating capacity of theatres in any but class A buildings, has been approved by the building committee, Board of Supervisors.

'Allegheny' Draws $16,500, Pittsburgh

PITTSBURGH, Nov. 15.—"Allegheny Uprising" brought $16,500 to Loew's Penn, while the second week of "Mr. Smith Goes to Washington" garnered $12,500 for the Alvin.

"Mr. Smith Goes to Washington" (Col.)
ALVIN—(1,900) (25c-35c-50c) 7 days, 2nd week. Gross: $12,500. (Average, $8,000)
"Demon Barber of Fleet Street" (Select)
"The Return of the Frog" (Select)
FULTON—(1,700) (25c-40c) 7 days. Gross: $4,100. (Average, $5,000)
"Allegheny Uprising" (RKO)
LOEW'S PENN—(3,600) (25c-35c-50c) 6½ days. Gross: $16,500. (Average, $13,000)
"The Escape" (20th-Fox)
"Quick Millions" (20th-Fox)
SENATOR — (2,000) (25c-40c) 7 days. Gross: $1,900. (Average, $3,600)
"At the Circus" (M-G-M)
STANLEY—(3,600) (25c-35c-50c) 7 days. Gross: $13,500. (Average, with stage show, $17,000)
"Babes in Arms" (M-G-M)
WARNER—(2,000) (25c-35c-50c) 7 days, 3rd week. Gross: $7,000. (Average, $5,000)

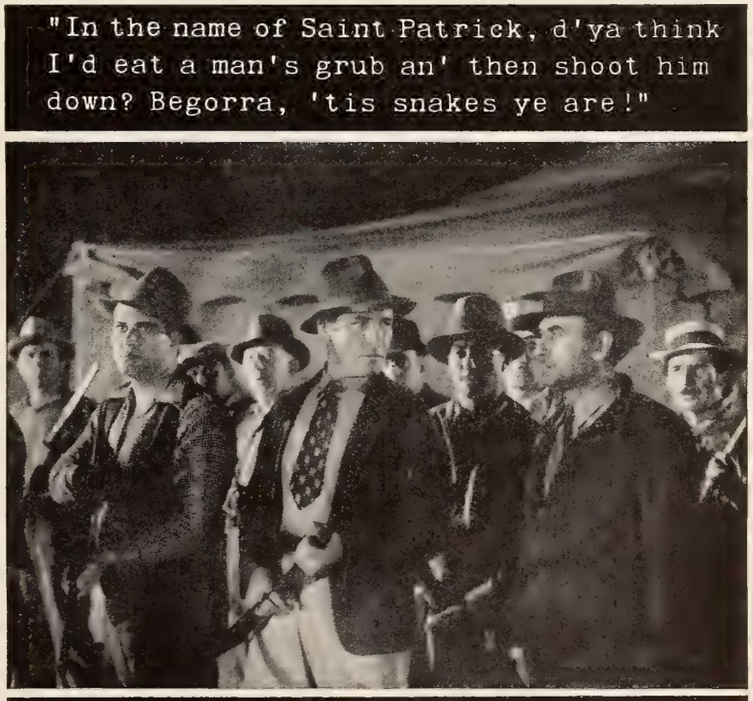
Strike at Grand Settled

A strike by Empire State Operators Union at the Grand (Abraham Levy), Brooklyn, has been settled by the N. Y. State Mediation Board. The strike was called when Walter Underhill, a projectionist, was dismissed. Subsequently, the United Theatrical and Service Employes Union, C.I.O., signed a contract at the house.

Circuit Net $385,000

LONDON, Nov. 15.—A profit of £96,123 (about $385,000) for the year has been reported by Associated Provincial Picture Houses. A dividend of two per cent has been paid.

"In the name of Saint Patrick, d'ya think I'd eat a man's grub an' then shoot him down? Begorra, 'tis snakes ye are!"



"JEEPERS CREEPERS"
with
WEAVER BROTHERS and ELVIRY
ROY ROGERS • MARIS WRIXON
A Republic Picture

MOTION PICTURE DAILY'S BOOKING CHART

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Oct. 13	Scandal Sheet *Otto Kruger* *Ona Munson*	Babes in Arms *Mickey Rooney* *Judy Garland*		Jamaica Inn *Charles Laughton* *Maureen O'Hara*	Sabotage *Arleen Whelan*	Three Sons *Edward Ellis* *Virginia Vale*	Road to Glory *Fredric March* Hollywood Cavalcade *Alice Faye* *Don Ameche*		Tropic Fury *Richard Arlen*	On Your Toes *Zorina*
Oct. 20	Mr. Smith Goes to Washington *Jean Arthur* *James Stewart*	At the Circus *Marx Brothers*	Mutiny in the Big House Riders of Destiny Sagebrush Trail	Television Spy *William Henry* *Judith Barrett*			Pack Up Your Troubles *Jane Withers* Shipyard Sally *Gracie Fields* *Sidney Howard*		Oklahoma Frontier	Smashing the Money Ring *Ronald Reagan* *Rosella Towne*
Oct. 27	Beware Spooks *Joe E. Brown* *Mary Carlisle*	Bad Little Angel *Virginia Weidler*	Danger Flight Overland Mail *Jack Randall*	Disputed Passage *Dorothy Lamour* *Akim Tamiroff*	Jeepers Creepers *Weaver Bros. & Elviry*	Sued for Libel *Kent Taylor* *Linda Hayes*	20,000 Men a Year *Randolph Scott* The First World War	Housekeeper's Daughter *Joan Bennett* *Adolphe Menjou*	Little Accident *Baby Sandy*	The Roaring Twenties *James Cagney* *Priscilla Lane*
Nov. 3	The Stranger from Texas	Ninotchka *Greta Garbo* *Melvyn Douglas*	Heroes in Blue *Dick Purcell* Fighting Mad *James Newill*	Law of the Pampas *William Boyd* *Russell Hayden*	Main Street Lawyer *Edward Ellis* *Anita Louise*	Flying Deuces *Laurel & Hardy* Marshal of Mesa City *George O'Brien*	Heaven with Barbed Wire Fence *Jean Rogers*		Call a Messenger The Road Back Legion of Lost Flyers *Richard Arlen*	Kid Nightingale *John Payne* *Jane Wyman*
Nov. 10	Blondie Brings Up Baby *Penny Singleton*	Remember? *Robert Taylor* *Greer Garson*	The Phantom Strikes *Wilfred Lawson* Raiders Over England	Cat and the Canary *Bob Hope* *Paulette Goddard*	Rovin' Tumbleweeds *Gene Autry* *Mary Carlisle*	Allegheny Uprising *John Wayne* *Claire Trevor*	Drums Along the Mohawk *Henry Fonda* *Claudette Colbert*		First Love *Deanna Durbin* One Hour to Live *Doris Nolan*	Private Lives of Elizabeth and Essex *Bette Davis* *Errol Flynn*
Nov. 17		Another Thin Man *William Powell* *Myrna Loy*		Rulers of the Sea *Douglas Fairbanks, Jr.*	Saga of Death Valley *Roy Rogers* The Covered Trailer *Gleason Family*	Meet Dr. Christian *Jean Hersholt*	Too Busy to Work *Jones Family*		Tower of London *Basil Rathbone*	Dead End Kids on Dress Parade
Nov. 24	The Amazing Mr. Williams *Joan Blondell* *Melvyn Douglas*	Secret of Dr. Kildare *Lew Ayres* *Lionel Barrymore*	Roll, Wagons, Roll *Tex Ritter*	Our Neighbors, the Carters *Frank Craven* *Fay Bainter*		That's Right, You're Wrong *Kay Kyser* *Adolph Menjou*	Day-Time Wife *Tyrone Power* *Linda Darnell*	City for Sale *Ruth Terry* *Pat O'Brien*	The Big Guy *Victor McLaglen* *Jackie Cooper*	We Are Not Alone *Paul Muni* *Jane Bryan* *Flora Robson*
Dec. 1	I Married Adventure *Osa Johnson* Cafe Hostess *Preston Foster* *Ann Dvorak*	A Call on the President *Ann Sothern* *Louis Stone*	Gentleman from Arizona *Craig Reynolds* Yukon Flight *James Newill*	Night of Nights *Pat O'Brien* *Olympe Bradna*	Cowboys from Texas *The Three Mesquiteers* *Carol Landis*	Reno *Richard Dix* *Gail Patrick*	City in Darkness *Sidney Toler* Inspector Hornleigh on Holiday		Laugh It Off *Johnny Downs* *Constance Moore*	Return of Dr. X *Humphrey Bogart* *Rosemary Lane*
Dec. 8	Fugitive at Large *Jack Holt* Taming of the West *Bill Elliott*	Henry Goes Arizona *Frank Morgan* *Virginia Weidler*	West of the Divide *John Wayne* Lucky Texan *John Wayne*	Llano Kid *Tito Guizar* *Gale Sondergaard*		Two Thoroughbreds *Jimmie Lydon* *Joan Brodel*	Barricade *Alice Faye* *Warner Baxter*		Man from Montreal *Richard Arlen* *Andy Devine*	Private Detective *Jane Wyman* *Dick Foran*
Dec. 15		Nick Carter—Master Detective *Walter Pidgeon* *Rita Johnson*	Four Just Men *Frank Lawton* Pioneer Days *Jack Randall*	All Women Have Secrets *Virginia Dale* *Joseph Allen, Jr.*			The Honeymoon's Over *Stuart Erwin* *Marjorie Weaver*		Missing Evidence *Preston Foster* *Irene Hervey*	The Mad Empress *Medea Novara* *Lionel Atwill*

Paramount Pictures

Book these PARAMOUNT SHORTS when you book your features!

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POPULAR SCIENCE #2

NOVEMBER 10
Color Cruise
CHILE

NOVEMBER 17
Paragraphic
BITS OF LIFE

100% BOX OFFICE tested

Famous Players Remodels House for Canada Troops

TORONTO, Nov. 15. — At a cost of $5,000 Famous Players Canadian Corp., Ltd., has converted the Music Building at the Canadian National Exhibition grounds, Toronto, into a film theatre for the entertainment of troops of the Canadian Active Service Force who are in camp at the local park in preparation for overseas duty. Projection and sound equipment has been loaned for use in this military theatre for shows throughout the winter and, in addition, arrangements have been made for the accommodation of war units as guests at the big circuit theatres downtown at regular intervals.

For a new departure in the airing of reviews of current film attractions over the national network, the Canadian Broadcasting Corp. has engaged Al Grosart of Toronto as film commentator for a series of weekly broadcasts starting this month.

Percy Faith, formerly in Toronto theatre orchestras under the baton of Luigi Romanelli, is conducting a weekly concert series of popular type, "Music by Faith," now scheduled for Wednesday nights at 9:30 o'clock over the Canadian network. Engaged as the vocal star for this series is Louise King, now of Toronto, who was discovered by Ben Bernie when she was singing in Chicago.

One of the active members of the campaign committee of the Red Cross Society of Canada is N. L. Nathanson of Toronto, president of Famous Players Canadian Corp. The committee organized a wartime drive during the week of Nov. 13 for the raising of $3,000,000 for current needs.

Confined to his room with a heart ailment since last July, Clarence Robson, Toronto, is now reported by his physicians to be making satisfactory progress toward recovery. Robson is eastern director of theatres for Famous Players Canadian Corp.

An elaborate exploitation feature for the presentation of "Jamaica Inn" at the Capitol, London, Ont., was organized by Manager W. K. Trudell in a Winter Fair in cooperation with large retail establishments in that city. Exhibits of household appliances, furniture and musical instruments and also a new automobile model were on display in the lobby.

4 'Dead End Kids' Appear in Albany

ALBANY, Nov. 15.—Four members of the "Dead End Kids," Leo Gorcey, Huntz Hall, Gabriel Dell and Bernard Punsley, will make a six-day personal appearance trip to Fabian's first run Palace here, starting Friday and continuing until Thanksgiving, when "Mr. Smith Goes to Washington" starts.

Colortone in Merger

SAN FRANCISCO, Nov. 15.—Colortone Productions, engaged in the slide film and industrial film field, has merged with Kennedy-Kut Recordings, electrical transcription firm, under the name Photo & Sound, Inc. The new company will remain active in both fields.

Recruiting Aid

Toronto, Nov. 15.—The Canadian Broadcasting Corp. has issued a statement to justify its broadcast over the Canadian chain of Adolph Hitler's much-discussed speech at Danzig by pointing out that the oration, as heard over its stations, has had the effect of stimulating recruiting in the Dominion for service against Germany. An instance is cited of a young Canadian residing in the Yukon Territory who, after hearing the broadcast, traveled all the way to Ontario where he enlisted with the Prince Edward and Hastings Regiment. The CBC had been criticized for the rebroadcast of the Hitler talk.

No War Regulations Hit Theatres in B. C.

VANCOUVER, B. C., Nov. 14.—So far, no regulations have been formulated in regard to possible war-time emergencies affecting theatres of British Columbia. While a civilian emergency defense committee has been set up, regulations so far framed do not contemplate blackouts or any need for protection against air raids or other enemy attack.

Plans thus far take into account only acts of sabotage. Measures drawn up are for the protection of public health, to cope with any attempt from within to disrupt civilian life. Emergency fire fighting, first aid and similar services have been organized in event of any possible outbreak of sabotage.

'Actresses of Past' Will Be Shown Daily

The Museum of Modern Art will show its program, "Great Actresses of the Past," every day at 4 P. M. from Monday, Nov. 20, through Sunday, Nov. 26, as a result of the wide interest shown in the program.

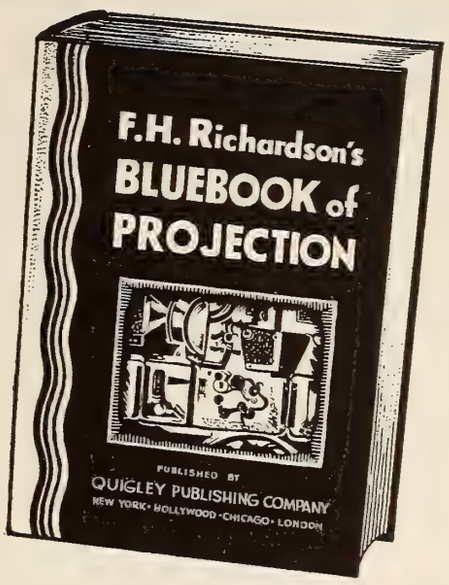
Included in the film are excerpts from pictures starring Rejane, Bernhardt, Mrs. Fiske and Duse. Numerous stage and screen personalities have seen the picture. Rejane is seen in "Mme. Sans Gene," made in 1911; Bernhardt in "Camille" (1912), Mrs. Fiske in "Vanity Fair" (1915), and Duse in "Cenera" (1916).

Wanger Retitles Film

HOLLYWOOD, Nov. 15. — "Ladies Know Too Much," has been selected as the final title for the Walter Wanger production based on the novel, "Send Another Coffin." The film was tentatively titled "City for Sale." United Artists will release the film.

Open 'Child' Dec. 6

KANSAS CITY, Nov. 15.—"A Child Is Born" will be opened at the Newman here by Warners, beginning Dec. 6.



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Radio Personals

WDRC, Hartford, celebrates its 17th anniversary with a giant birthday party in December. . . . Dramatizations of favorite childhood books will be featured in "Yesterday's Children," a new weekly series which starts over NBC-Blue, Friday, Nov. 24, at 7:30 P. M. . . . Louis Hayward will be guest star on the Kraft Music Hall program over NBC-Red at 10 o'clock tonight. . . .

"Along the News Front," new weekly commentary series with Graham McNamee and Baukhage, starts Sunday at 5:15 P. M. over NBC-Blue. . . . Nathaniel Smith, baritone, has been signed for a concert series by Embree Concert Service. . . .

Leon Sipes, assistant manager of KELD, Eldorado, Ark., has resigned to accept an advertising post with the Lion Oil Co. . . . Carl Nissen, former KNX, Los Angeles, sales chief, has joined the sales staff at KROW, Oakland. . . . Guy Cassidy has been named studio engineer at KPO-KGO, San Francisco. . . . Josef Cherniavsky, WLW musical director, has had his latest composition, "You're First on Second Avenue," published. . . .

Dick Weaver has been signed for a promotion and publicity campaign at WARD, Brooklyn. . . . Bob Provan, WDRC announcer, has been elected Republican alderman in Hartford.

WMCA Seeks Shift Of Its Transmitter

WASHINGTON, Nov. 15.—Authority to move its transmitter from Flushing, N. Y., to Kearny, N. J., and to increase its power from 1,000 to 5,000 watts has been asked of the Federal Communications Commission by WMCA, New York.

Other applications were received at the commission from KLUF, Galveston, Tex., for change of frequency from 1,370 to 1,360 kilocycles and increase of power from 250 watts to 500 watts at night, 1,000 watts day; WSOC, Charlotte, N. C., for change of frequency from 1,210 to 610 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts; KGFI, Brownsville, Tex., for increase of night power from 100 to 250 watts; WSUN, St. Petersburg, Fla., for increase of night power from 1,000 to 5,000 watts; and KGA, Spokane, for increase of power from 5,000 to 10,000 watts.

KYA Closes Biggest Time Deal in Years

SAN FRANCISCO, Nov. 15.—The largest deal for radio time signed on the West Coast in years has been set between Pacific Gas and Electric Co. and KYA, Hearst station. The utility company will sponsor "Evening Concert," a transcribed program of outstanding music, two hours nightly—seven nights a week, for 52 weeks.

RKO Sponsors Program

RKO last night sponsored a 15-minute short-wave broadcast via NBC to Latin America. The program included Ray Whitley, western player, and Enriqueta Castillo, singer.

Miss Lamour's Next Film Pet May Be $25,000 Panda

HOLLYWOOD, Nov. 15. — DOROTHY LAMOUR, whose antipathy toward working with animals in jungle pictures for Paramount has been exploited for the purpose of garnering much newspaper space, may have a new playmate, a giant panda, in "The Road to Singapore." That is, if arrangements can be made for the use of the $25,000 animal owned by Col. Frank Knox, Chicago newspaper publisher.

The panda will be shipped through Los Angeles on the way to the Chicago Zoological Society, its future home.

Paramount's publicity department quotes MISS LAMOUR, upon hearing of the possible deal, as follows:

"After working with so many animals, I won't draw the line on a panda. I understand the animal is much more friendly than a couple of leopards with which I've played tag during the past three years."

NORMAN H. MORAY, Warner short subject sales manager, is here conferring with GORDON HOLLINGSHEAD, shorts supervisor at Warners, on the last six pictures to be made for the current season. . . . NANCY KELLY gets the title role in 20th Century-Fox's "Public Deb. No. 1," which SIDNEY LANFIELD will direct and GENE MARKEY produce. . . . MARJORIE WEAVER will play opposite GENE AUTRY in the same studio's "Shooting High," in which the cowboy star will share the top spot with JANE WITHERS. . . . Republic has about 10 leading women under consideration for the spot opposite JOHN WAYNE in "Dark Command," from the W. R. Burnett novel of the days of Quantrell, the post-Civil War bandit.

Paramount has set ROBERT RYAN, former boxing champ of Dartmouth, for the lead in "Golden Gloves," film concerning amateur fisticuffs. He gets a long term contract. . . . GEORGE SANDERS, under contract to 20th Century-Fox for the last year and a half and who has not appeared in a single picture on the lot, has had his contract extended. SANDERS has been on loanout during the pact's term.

HENRY HULL joins BRIAN AHERNE and LOUIS HAYWARD in EDWARD SMALL's "My Son, My Son!" . . . DORIS JORDAN, extra girl signed by SAMUEL GOLDWYN for the lead opposite GARY COOPER in "The Westerner," new title for "Vinegarroom," has had her name changed back to DORIS DAVPORT. . . PETE SMITH will make another short along the lines of his two popular "Audioscopics," the new one to be called "The Third Dimensional Murder." The new film will use the "Metroscopic" process. . . . GEORGE SIDNEY will direct from a story by JERRY HOFFMAN.

FRED STONE goes into SAMUEL GOLDWYN's "The Westerner." GOLDWYN has loaned VERA ZORINA to 20th Century-Fox for "European Plan," story of a dancer held as a spy in Europe. HARRY JOE BROWN will produce. . MILTON LAZARUS and MANNY SEFF wrote the original. GEORGE BALANCHINE, ZORINA's husband, will direct the ensemble and ballet numbers. . . . MICHAEL RAND, one of Paramount's discoveries, will get a role in "At Good Old Siwash." . . . BUSTER KEATON goes into "New Moon," new title for "Lover Come Back to Me," at M-G-M. . . . ROBERT STEVENSON, British director, has been signed by Towne and Baker to direct "Tom Brown's School Days," for RKO release.

KATHRYN SCOLA is writing the screenplay for M-G-M's "And One Was Beautiful," from an original by ALICE DUER MILLER. FREDERICK STEPHANI will produce. . . . FRED MACMURRAY, ALBERT DEKKER and ROBERT FRESTON will be teamed in Paramount's "Trouble Enough," story of the old west. DALE VAN EVERY will produce the story, written by FRANK BUTLER. . . . ANATOLE LITVAK will direct "Villa on the Hill," from the SOMERSET MAUGHAM story, at Warners.

RKO has changed the title of "Sunset" to "Two Thoroughbreds" and the title of "Distant Fields" to "Married and in Love." . . . MRS. DAVID ROSE, wife of Paramount's executive producer in England, arrived in Hollywood this week, preceding her husband by a month. ROSE is in New York. . . HARRY SHERMAN will wind up his 1939 production schedule with two more Hopalong Cassidy pictures before Christmas, and postpone "The Ne'er-Do-Well," by REX BEACH, until next season.

FORREST TUCKER, socialite, goes into GOLDWYN's "The Westerner." . . . MILES MANDER has been signed by RKO for "Primrose Path." . . . "Golden Gloves" at Paramount will be written by LEWIS R. FOSTER, who wrote the original of "Mr. Smith Goes to Washington." . . . WENDY BARRIE has been given a term contract at RKO.

Arrested in Attempt At Theatre Holdup

PITTSBURGH, Nov. 15. — He attempted to hold up Warners' Schenley Theatre to change his mind about committing suicide because he was hungry and had no money, Hersh W. Kreitenberg, 44, of Chicago, informed Judge Henry Ellenbogen in Criminal Court, when he pleaded guilty to a charge of robbery.

He was caught in a flying tackle by assistant manager Charles Steinhauser, son of Press radio editor Si Steinhauser. Kreitenberg was committed to jail for examination by the Behavior Clinic, and was unsentenced, pending a doctor's report. He was carrying a toy pistol when taken into custody by the police.

Warfront Broadcast

First "live" broadcast from the war front was made yesterday at 6:47 P. M. when CBS carried an account from France by Thomas Grandin, French correspondent.

John Holmes Dies

KANSAS CITY, Nov. 15.—John Holmes, 78, who formerly managed theatres here, died after a short illness.

Separate Sale Policy is Rule On 'Mr. Smith'

(*Continued from page* 1)

has been and is being sold as an individual picture, under an individual picture contract. It has been and is the desire of the distributor to [illegible] this picture in advance to any exhibitor in the United States who desires to see it.

"For the last three years all of Frank Capra's pictures have been sold separate and apart from the regular Columbia program.

"Our regular established customers have, of course, had the first opportunity to negotiate for 'Mr. Smith Goes to Washington.' That is and always has been our policy with our regular customers.

"Many of our regular customers licensed this particular Capra picture at the time they contracted for our 1939-'40 program because in each instance these exhibitors insisted upon completing negotiations for 'Mr. Smith Goes to Washington,' clearly indicating that they wanted to be assured that they would get this feature.

"Thousands of exhibitors have already purchased this picture on separate contracts and there has not been a single request from any exhibitor in the United States to cancel or relieve him of his contract on 'Mr. Smith Goes to Washington.'

"Despite the fact that no such request has been presented, we are perfectly willing to discuss with any exhibitor who has contracted for the Capra picture any difficulty that has grown out of his having made such a contract. I want to stress, however, that this in no wise differs from our general policy. We are at all times willing to discuss with exhibitors particular situations where they have contracted for our pictures and where special circumstances arise that have to do with the playing of any particular picture."

Hockey Broadcast Contracts Signed

Formal signing of contracts for the broadcast of the full 48-game schedule of hockey games at Madison Square Garden were signed yesterday at the WHN studios. Col. J. R. Kilpatrick, president of the Garden; Bert Lebhar, WHN sales manager, and J. P. Spang, president of Gilette Safety Razor Co., the sponsor, signed the contracts.

Education Directors Of CBS Meet Dec. 1

A second sectional conference of CBS educational directors will be held here by Sterling Fisher, director of education, on Dec. 1. Eastern directors have been invited to attend. Success of the first meeting of Midwest directors in Chicago a month ago induced Fisher to call a second conference and he plans to continue the policy until the entire country is covered.

Connolly to Speak

Thomas D. Connolly, assistant to Victor Ratner, director of sales promotion for CBS, will address the Advertising Club of Albany today.

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First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 98 NEW YORK, U. S. A., FRIDAY, NOVEMBER 17, 1939 TEN CENTS

Hammons Gets Final $25,000 In Refinancing

Grand National Creditors Hear Report Today

Earle W. Hammons, Educational-Grand National president, yesterday obtained a commitment for the final $25,000 of new financing for the companies, which fulfills arrangements for loans totalling $600,000.

Details of the loan will be reported by Hammons to Grand National creditors at a meeting today before Referee Peter B. Olney, Jr.

The Reconstruction Finance Corp. had agreed to advance $450,000 to Grand National conditioned upon the obtaining of $150,000 additional elsewhere.

Hammons had commitments from Erpi and National City Bank for a total of $125,000 of the latter amount prior to yesterday. The final $25,000 was obtained by agreement with Loyd Wright, trustee of the old Grand National, to take a participation in the new financing for that amount.

Educational has a $50,000 obligation to the old Grand National which, under the terms of yesterday's agreement, will be met on consummation of the refinancing with a cash payment of $25,000 and a participation in the new financing for a similar amount.

It is understood that the agreement

(*Continued on page 7*)

B. & K. Closes New U. A. Product Deal

A new season product deal has been agreed upon between United Artists and Balaban & Katz, Chicago, ending a series of negotiations which have extended over a three months period.

Contracts for the entire United Artists new season line-up were negotiated in Chicago early this week and forwarded here. They were approved yesterday by John Balaban for B. & K. The deal covers all of the B. & K. houses in Chicago and suburbs.

At one stage the negotiations appeared to have reached an impasse but were revived about a month ago after a visit to Chicago by L. J. Schlaifer, United Artists Western sales manager.

In the meantime, deals were closed by B. & K. for individual United Artists pictures produced by Samuel Goldwyn. The new contracts cover all of the other United Artists releases.

Grant More Wages In Television Field, Unions to Ask NBC

Actor unions will seek a substantial raise in wage scales for performers in the television field, union sources revealed yesterday. A preliminary report fixing scales will be presented Wednesday and negotiations with NBC are expected to be started before Dec. 1.

No attempt will be made to determine a permanent scale, and an official declared that the unions will take "cognizance of the experimental phases" of the new medium. However, wage scales for actors have steadily declined, and standards will have to be lifted considerably, it was stated.

Unions involved are Actors Equity, American Federation of Radio Artists and Screen Actors Guild. Each union has several of its members working on a joint committee which has, in turn, appointed two subcommittees. One subcommittee is studying the general expenditures of the networks, including program costs. The other is preparing wage standards.

The joint committee will start consideration of the wage scales Wednesday. As soon as it has completed the report, the findings will be turned over to Associated Actors and Artistes of America, the parent body.

The 4-A will then appoint a committee to negotiate with NBC and also with CBS when the latter starts operations. This committee, which will be known as the administrative committee, will be composed of one representative from Equity, S.A.G. and A.F.R.A. and Frank Gillmore, 4-A president, and Paul N. Turner, counsel.

They will seek a six-month or one-

(*Continued on page 7*)

WHOLE WAGE ISSUE SHOWDOWN LOOMS

10 Theatres Given Selznick's 'Wind' Pre-Release Dates

Pre-release engagements of Metro-Goldwyn-Mayer's "Gone With the Wind" are scheduled in ten theatres before Jan. 1.

In addition to the Grand, Atlanta, on Dec. 15, and the Astor and Capitol in New York on Dec. 19, it will have test showings at the Carthay Circle, Los Angeles; the Orpheum and State, Boston, opening day and date; as well as in Philadelphia, Cincinnati, Harrisburg and Reading, Pa.

William F. Rodgers, general sales manager of M-G-M, has called a mid-season sales conference for Nov. 25 and 26 in Chicago at which sales policy on "Gone with the Wind" will be discussed.

In addition to home office executives, attending will be district and branch managers and representatives of Selznick International, producer of the film. Al Lichtman will come from the studio. Lowell Calvert, Eastern representative of Selznick, is scheduled to attend. The meeting will be at the Drake Hotel.

A factor in the discussions at the Chicago meeting will be the public reactions to the early runs.

Extended playing time will be sought on all engagements, at advanced ad-

(*Continued on page 2*)

Studio Officials Debating Strike Deadline Set By Craft Unions

Since the studio craft unions have served notice that they will strike unless all are granted a 10 per cent wage increase, important minds in the East think a showdown in Hollywood is on the way.

Beset as the producers are by a considerable shrinkage in foreign income because of the European war, spotty domestic business, and increased production costs, the major companies, according to these authorities, may consider the time to be right for talking over all industry problems, including the entire salary structure of the business.

The deadline is Monday at 2:30 P. M., Hollywood time. The producers have asked their home offices for instructions. Since business is unsettled around the country, it is the opinion of executives that even if the strike were to spread to the theatres it would not prevent a showdown.

They point out that the aggregate annual salary increases demanded by the unions would amount to $16,000,000. This figure is about as much as the possible 1939 earnings of the industry. Taking Loew's possible $9,000,000, 20th Century-Fox's $4,000,000,

(*Continued on page 4*)

Film Exports in 9 Months Drop Off 27,000,000 Feet

WASHINGTON, Nov. 16.—A 27,000,000-foot drop in exports of positive film during the first nine months of this year as compared with the corresponding period in 1938 was disclosed today by Nathan D. Golden, chief of the Motion Picture Division of the Department of Commerce, in a review of the motion picture industry's export markets.

Positive film exports for the period totaled 112,486,707 feet with a declared value (estimated on a cost of two cents per foot for raw film) of $2,284,277, compared with 140,133,067 feet valued at $2,989,872 last year, Golden reported.

In the same period, he added, negative exports dropped from 6,387,602 feet valued at $228,752 in 1938 to 5,698,594 feet valued at $242,796.

"While this decline would, at first glance, seem to indicate a severe falling off of our foreign motion picture markets," he commented, "this is not entirely true, since it is believed that American companies are shipping duplicate negatives to major markets having laboratory facilities for the printing of positive films. This belief is substantiated by the fact that increased shipments of negative film have been sent to France, Australia and New Zealand."

Exports to the major markets for

(*Continued on page 8*)

London Accord on Remittance Heard

Late last night film executives here heard that Ambassador Joseph B. Kennedy had reached an agreement, as expected, with the British Government, permitting American companies to export 50 per cent of their English gross income, after deduction of operating costs.

On the basis of last year's income, this would amount to approximately $17,500,000. However, in view of the drop in exchange and a shrinkage of British income generally because of the war, the sum to be exported will be proportionately less.

Statement of British Policy Called Vital

LONDON, Nov. 16.—The British Government's Films Council met today, and although no statement was

(*Continued on page 7*)

Purely Personal

DAVID ROSE, head of Paramount British production, is expected from London in the next few weeks.

•

DAVID BERNSTEIN, WILLIAM ORR, CHARLES E. MCCARTHY, HARRY BRANDT, S. CHARLES EINFELD, TOM CONNORS, TOBY GRUEN, JOSEPH WEINSTOCK, RUSSELL HOLMAN and MAX A. COHEN lunching at Nick's Hunting Room in the Astor yesterday.

•

JOSEPH MOSKOWITZ, HARRY GOLD, J. J. MILSTEIN, EDWARD GOLDEN, JACK GOETZ, JOSEPH PINCUS, SAM CITRON and BOB SAVINI at BOB GOLDSTEIN'S Tavern for lunch yesterday.

•

ALBERT WARNER, LOU WEINBERG, RUBE JACKTER, NATE SPINGOLD, ABE SCHNEIDER, JACK COHN, MILTON BERLE and BENNY DAVIS lunching at Lindy's (50th St.) yesterday.

•

JOSEPH BERNHARD, JAMES ROOSEVELT, LEONARD GOLDENSON, LYNN FARNOL, SAM SHAIN and LEO BRECHER lunching at the Plaza Hotel Grill yesterday.

•

SOL LESSER will leave Hollywood today to confer with THORNTON WILDER here on production of "Our Town," and to test stage talent for roles in the picture.

•

JEAN HERSHOLT leaves the Coast by plane today to come here in connection with the Motion Picture Relief Fund, of which he is president.

•

CHARLES BOYER and his wife, PAT PATTERSON, are expected to leave Lisbon, Portugal, on the *Clipper* Sunday for the United States.

•

HENRY KOSTER and DAN KELLEY plan to leave tonight or tomorrow on their return to the Coast after a two-week visit here.

•

HARRY REINERS of the RKO home office was in Providence for conferences with George French, manager of the Albee there.

•

JOHN BALABAN, ELMER UPTON and HUGO SONNENSCHEIN of B. & K. will leave today on their return to Chicago.

•

H. B. ALLINSMITH, Erpi executive, leaves today on a month's inspection tour of branches in Central America.

•

BEN Y. CAMMACK, assistant foreign manager for RKO, sails for Peru tomorrow on the *Santa Lucia*.

•

ANNA BELL WARD of the Elliott-Ward Enterprises, Lexington, Ky., is stopping at the Ambassador.

•

HERMAN MILLER, New Haven cashier for M-G-M, is celebrating his 10th year with the company.

•

FRED LIND, United Artist salesman in Denver, has taken out his final citizenship papers.

•

EDWARD SAUNDERS, M-G-M division manager, is in Chicago on business.

•

SIDNEY C. DAVIDSON of Universal is in Providence.

New York Review

"Marx Brothers at the Circus"

(M-G-M)

This time they're at, in and all over a circus, but no matter what the setting, they're still the Marx Brothers, romping through their roles as though they really enjoyed themselves. The audience likewise should spend an enjoyable session of comedy.

The picture basically is cut to the expected Marx Brothers pattern, with the three "insaniacs" contriving to save the day for a young couple in distress. In this case, the couple are Kenny Baker and Florence Rice—Baker the young owner of the show, who faces the loss of the circus unless he can meet a $10,000 loan immediately, and Miss Rice the star of the show.

The two, in love, have several opportunities to sing, and do their songs justice. Margaret Dumont, as usual, is the foil for Groucho, this time as the wealthy aunt of Baker, who cuts him off without any money—until Groucho starts into action. Nat Pendleton is the circus strong man, and James Burke is the creditor who seeks to wreck the circus.

Chico and Harpo work with the show, and Groucho is the "lawyer" called by Chico, his friend, when the latter learns that Baker is in trouble. The horseplay in which the three indulge, and the speed with which the action of the picture moves, serve to provide a flock of laughs. Marx Brothers devotees, which are legion, will find plenty to enjoy.

Mervyn LeRoy produced the picture, with Edward Buzzell directing from a screenplay by Irving Brecher. E. Y. Harburg wrote the lyrics of the musical numbers and Harold Arlen the music.

Call it the Marx Brothers "doing their stuff" in their usual style, and sell it for the comedy and laughs that are in it.

Running time, 86 minutes. "G."* CHARLES S. AARONSON

**"G" denotes general classification.*

Musicians to Hear DeBra Talk Today

Arthur DeBra of the Hays office will demonstrate the use of music in films at a meeting of the Musical Adventurers in the Chanin Theatre at 11 A. M. today.

DeBra will screen portions of musical films dating back to 1930 to the current "Mikado" and will preface the demonstration with a short talk. A portion of "Viennese Nights," Warner musical, in which Alexander Gray sings, will be screened, and immediately thereafter Gray will sing the same number for the audience.

Jack Cohn Leaves For Coast Today

Jack Cohn, Columbia vice-president, is scheduled to leave for the Coast today for product conferences with Harry Cohn, president. Columbia's future production activities in England also may be decided at the conferences.

Irving Asher, the company's British production chief, has returned to Hollywood after spending a few days here discussing the British production situation with Jack Cohn and Joseph A. McConville, Columbia's foreign department head.

Expect No Price Cuts In Des Moines Area

DES MOINES, Nov. 16.—A check with local exhibitors indicates that no change is anticipated in admissions.

At a Tri-States Theatre Corp. meeting, G. Ralph Branton advised the managers that present film business conditions do not warrant lowering of prices.

Exhibitors in this territory feel that business should be good in the coming months. Business depends largely on the spending ability of the farmers.

Set New Conference On U.S. Suit Queries

Special Assistant Attorney General Paul Williams and major company attorneys yesterday agreed to a further conference Nov. 30 on the interrogatories of the Government and United Artists in the Government anti-trust suit against the major companies.

Also yesterday a stipulation extending the time of the majors to answer the Government's questions to Dec. 1 was filed in the U. S. District Court. Considerable progress in agreeing upon the form and scope of Government questions was reported by attorneys for the majors. The greater number of interrogatories have already been decided upon, it was stated, and at the conclusion of the Nov. 30 conference a stipulation setting forth the questions to be answered and fixing the last day for filing answers will be drafted.

Special Assistant Attorney General William Farnsworth is passing upon the United Artists' interrogatories and will notify United Artists next week which of these are satisfactory to the Government.

Schenck Is Leader In Paralysis Drive

Joseph M. Schenck, chairman of the board of 20th Century-Fox, once again this year is vice-chairman of the Committee for the Celebration of the President's Birthday, which each year, sponsored by President Roosevelt, conducts a drive for the National Foundation for Infantile Paralysis, Inc.

Schenck also is state chairman for California. Eddie Cantor is chairman of the "March of Dimes of the Air." Keith Morgan is general chairman of the celebration committee.

Newsreel Parade

Pictures of the rescue of the survivors of two torpedoed ships, taken by a crew member of one of the ships, are on view in the new issues. War activities on the Siegfried Line, the French front and in England are also shown. The reels and their contents follow:

MOVIETONE NEWS, No. 20—Activity on Siegfried Line, French prisoners taken. Duke of Windsor promoted. King George rewards air heroes. Finnish towns prepare for attacks. Roosevelt lays cornerstone for Jefferson shrine. Byrd's expedition ship sails for Pole. Marine Corps celebrates anniversary. Lew Lehr. Ice hockey. Australian gymnastics. Pittsburgh vs. Carnegie Tech football.

NEWS OF THE DAY, No. 218—Germans at front spread propaganda. Daladier and Churchill in war zone. Air heroes honored in England. Survivors of torpedoed ships rescued at sea. Hog-calling in South. Football: Harvard vs. Army, Pittsburgh vs. Carnegie Tech.

PARAMOUNT NEWS, No. 23—Byrd set for arctic trip. Daladier, Churchill and Windsor at front. King George decorates fliers. City of Flint in Norway. Sculptress destroys own work. American liner rescues U-boat victims.

RKO PATHE NEWS, No. 35—Cornerstone laid for Jefferson memorial. King George honors air heroes. Nazi prisoners in British camps. Italy celebrates anniversary of World War victory. Supply ship for Byrd expedition sails. Save 300 from torpedoed ships.

UNIVERSAL NEWSREEL, No. 824—Roosevelt dedicates Jefferson memorial. Census takers in training. Byrd expedition under way. Hog festival. Baby panda in Hollywood. Old auto show. War conditions in England. Daladier and Churchill at war front. U-boat victims rescued by American ship.

Pre-Releases Fixed On Selznick's 'Wind'

(*Continued from page 1*)

mission prices. Admission scale of 75 cents matinees and $1.10 nights, with $1.65 for loges, generally will prevail at the selected runs opening prior to Jan. 1. The two-a-day showings at the Astor on Broadway will be at road-show prices.

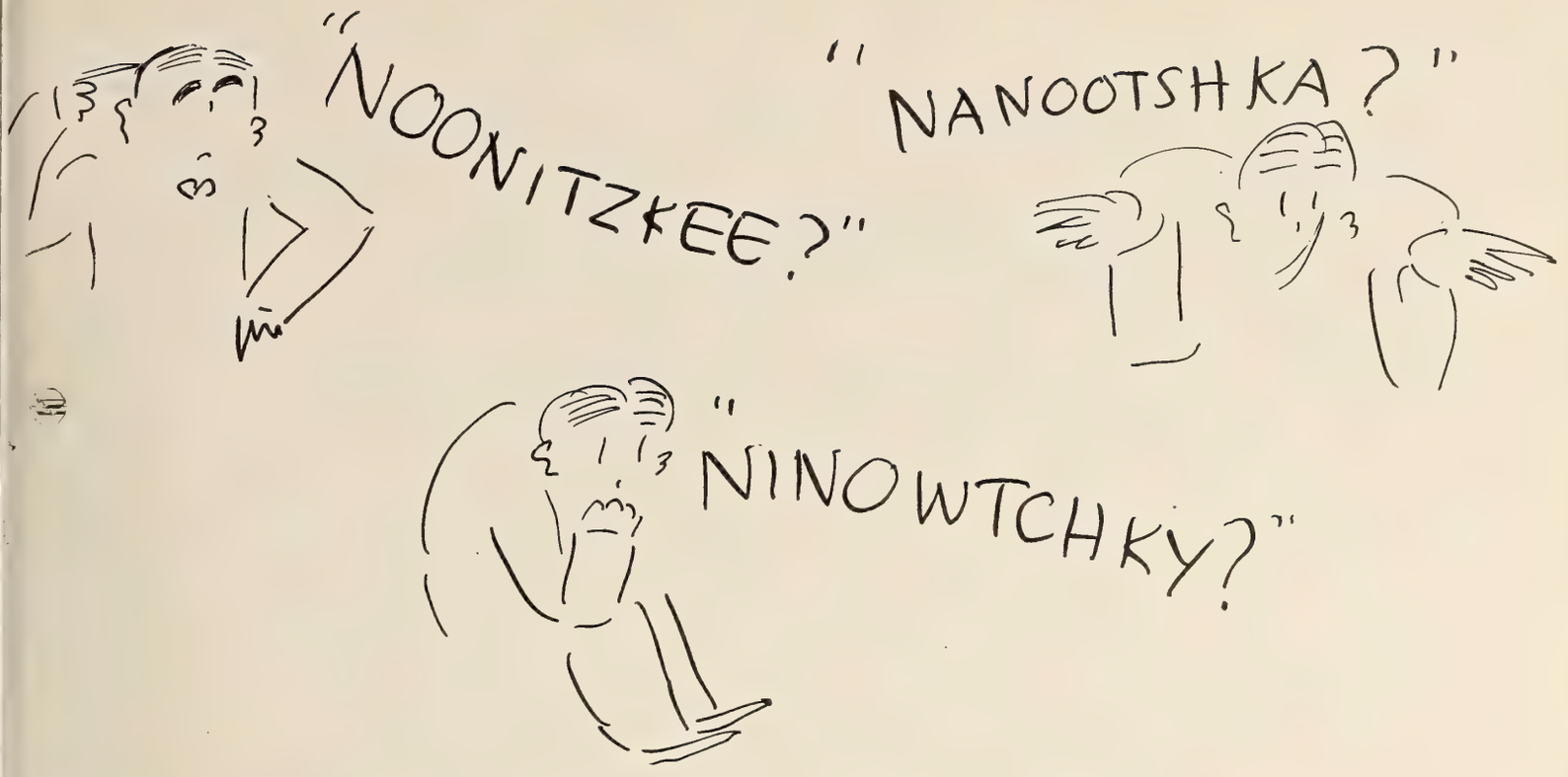
Running schedules will call for two or three shows a day, varying locally. Two-a-day houses will add a show on Saturdays, Sundays and holidays.

The two-a-day engagements will vary in presentation from the three-a-day continuous runs. The "de luxe" engagements will have an intermission of 10 minutes or more to break the running time of three hours and 38 minutes. Supper shows will start at 7:30 or 8:45 o'clock.

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2nd WEEK!

Crowds storm Radio City Music Hall as "NINOTCHKA" gets BIGGER day by day! The Year's Comedy Sensation is sure-fire for Hold-Overs! Be ready!

Trade Salary Issue Nears A Showdown

(*Continued from page 1*)

and Paramount's $4,000,000, all-told would be hardly more than what the unions are asking.

In case of a shutdown, the companies, it is averred, would barricade themselves behind their completed inventories until the whole thing was settled. Within that period a complete readjustment of the Hollywood situation, as well as the salary structure of the industry, may be developed for the good of all, it is authoritatively asserted.

The home office attitude, although expressed only by individuals, is believed to represent a good cross-section of executive opinion here and, as such, would seem to make more likely the possibility of a studio shutdown if the unions persist in their demand for action by 2:30 P. M., Monday.

No meeting of inter-company executives was held yesterday on the West Coast labor situation, but it is regarded as possible that the subject will come up for discussion at the scheduled meeting today of the board of directors of M.P.P.D.A.

Four Internationals To Quit A. F. of L. Conference

Los Angeles, Nov. 16.—The Conference of A. F. of L. Studio Unions, headed by William Bioff, I.A.T.S.E. leader, does not speak nor negotiate for crafts belonging to four Internationals in the studio basic agreement, it was learned today.

Within a few days, it was reported, officers of Teamsters, Electrical Workers, Carpenters and Musicians Internationals would ask local officers participating in the Conference to withdraw.

Negotiations for Internationals in the basic pact have been delayed until Dec. 6 in Newark where heads of companies and International presidents will discuss demands for a 10 per cent wage increase.

Meyer Lewis, Western A. F. of L. director, and Bioff today issued the following statement concerning their demands for a 10 per cent wage increase for crafts other than I.A.T.S.E.

"There is an obvious way for producers to retrench without attempting to shave or withhold two or three dollars a week from the paycheck of little fellows who average less than $1,000 a year. It is up to producers to consider this obvious course if retrenchment, because of the war's effect on overseas film markets, is as vital as they claim.

"Records of the U. S. Treasury Department reveal that in 1937, the last year for which figures are available at this source, 74 producers drew in salaries from five major producing and distributing corporations to a total of $13,926,511, an average of $188,195, or approximately $3,600 a week.

"One major studio paid 23 producers a total of $5,151,369, an average of $220,000 each, or approximately $4,000 a week. Of 63 salaries in U. S. industry of more than $200,000 annually, 40 are in the picture business. These are men who would economize by taking $2.50 off the paycheck of a man making $25 a week."

Theatre, Personnel Notes

Named Paramount Shipper

Seattle, Nov. 16.—Gordon Waldo has been appointed head shipper at the local Paramount branch. He was formerly with National Screen Service here. He succeeds Stanley Jackson, who has resigned.

Sell Chilton, Wis., House

Chilton, Wis., Nov. 16.—Mr. and Mrs. John Steenport have disposed of their 500-seat Chilton here to Edward M. Starkey, owner of the Rex in Berlin, Wis. E. H. Nitzke has been named manager of the local house.

Start Florida Theatre

Winter Park, Fla., Nov. 16.—Work has just begun on a new modern theatre, to be known as the Colony, to cost approximately $40,000, according to E. J. Sparks, president of Sparks Theatres, Inc. It will seat 800.

Change Theatre Firm Name

Name of the corporation which operates the Alden, New Rochelle, has been changed to Alden Rochelle, Inc.

Remodel Tennessee Theatre

Copper Hill, Tenn., Nov. 16.—The Newport Amusement Co. will add a new front to its house here, and will completely remodel and redecorate the interior, at a cost of about $20,000.

Plans House at Boaz, Ala.

Boaz, Ala., Nov. 16.—Col. Thomas E. Orr is planning to construct a theatre here.

Opens Colorado Theatre

Denver, Nov. 16.—Henry Bolte of California has taken over the Lyons Theatre at Lyons, Col.

Leases Denver House

Denver, Nov. 16.—J. J. Goldstein has leased the Bideawee for 10 years, and expects to reopen about Christmas after spending $10,000 modernizing the house.

Open Royal Tour Film

Toronto, Nov. 16.—"Royal Tour," official Canadian Government feature of the visit to the Dominion and the United States by the British Monarchs last May and June, is having its world premiere at the Capitol, Famous Players' unit in Ottawa, for one week commencing Saturday. The feature, which runs 90 minutes, was compiled by F. C. Badgley, director of the Canadian Government Motion Picture Bureau.

K. C. Club Honors Police

Kansas City, Nov. 16.—The local Variety Club was host tonight to Chief L. B. Reed of the Kansas City police, police commissioners and others from the police force at a special showing in the club rooms of Columbia's "Building of Boys" and RKO's "American Royal," the latter a one-reel film on the annual live stock show here.

New Vancouver Theatre

Vancouver, Nov. 16. — Famous Players-Canadian has acquired the site for a $50,000 theatre in the suburban South Granville section. It will be its ninth house in this locality, and the largest suburban theatre here. Construction will begin shortly after Jan. 1.

Rename Brooklyn House

The Town is the new name for the Crystal, Brooklyn.

Yonkers House Closes

Warburton, Yonkers, has closed after a summer run.

Reopens in Morristown

Palace, Morristown, N. J., has been opened by Ezekial Hausner.

Expand Republic Branch

New Haven, Nov. 16.—The local Republic exchange, until recently under the Herman Rifkin Boston office, is now expected to include a booking office and add an inspectress to the staff.

Plan San Francisco House

San Francsico, Nov. 16.—Plans are being prepared for a new neighborhood house in the Mission district, according to manager D. B. Levin, manager of San Francisco Theatres, Inc., operator of a local circuit.

Open Theatre in Houston

Houston, Tex., Nov. 16.—The new Stude here has opened.

Enlarge Georgia House

Albany, Ga., Nov. 16.—The Royal Theatre here is to be enlarged and improved.

Plan House for Employes

Riverview, Ala., Nov. 16.—The West Point Manufacturing Co. plans a theatre for employes here, to seat 450.

Publicists in New Plea to Producers

Hollywood, Nov. 16.—With both I.A.T.S.E. and the Newspaper Guild, C.I.O. organization, dangling affiliation offers before them, the Screen Publicists Guild last night decided to make one more attempt to induce producers to sign a contract covering working conditions and minimum salaries.

Pat Casey, producers' labor contact man, in a letter to the publicists, agreed to put three major clauses of the agreement in effect. They are wage scales, severance pay and Guild shop.

The publicists empowered the executive board to take "immediate steps necessary to execute the agreement, already concluded, including legal action, affiliation or such economic measures as necessary."

Monogram Closes Deals

Monogram has closed deals on the company's 1939-'40 product with several circuits. They include: Martin & Thompson, Georgia; Publix-Great States Theatres Corp., Illinois; Saenger Theatres Corp., Theatres Service Corp., and Martin Theatres Corp., all Louisiana; Netco Theatres Co., New York; Intermountain Theatres, Inc., Utah, Essaness Theatres Circuit, Chicago, and Warner Theatres, Ohio.

Change 20th-Fox Title

Hollywood, Nov. 16.—Twentieth Century-Fox has changed the title of "Johnny Apollo" to "Dance With the Devil." Tyrone Power and Dorothy Lamour will be starred.

3,000 English Employes Win New Contract

London, Nov. 2 (*By Mail*)—Three thousand film theatre employes in the Leeds and surrounding districts of Yorkshire are now covered in a wages and hours agreement reached by the local branch of the Cinematograph Exhibitors Association and the trades unions.

The working terms are to be referred to meetings of both bodies for acceptance.

Cancelling this year's annual licensing meetings, normally held early in November, the London and Middlesex Councils have decided to renew picture house licenses in the ordinary course and on terms similar to those now in force.

Only eight per cent of the films shown in Egypt are British. Seventy-eight per cent come from the United States.

This is the estimate of the Report on Economic Conditions in Egypt recently issued by the British Department of Overseas Trade.

Profits amounting to £509,990 (about $2,100,000) an increase of £141,811 on the previous year—are reported by Odeon Theatres, major British circuit, for the 12 months ended June 30 last. A dividend of 10 per cent on the ordinary shares was paid.

An optimistic note is struck by Chairman Oscar Deutsch who states that business in the Odeon houses, all of which are now open again, is back almost to normal.

The cost of the theatres operated by the company is estimated at £11,000,000.

Twenty mobile film units are now operating in 19 reception areas in Scotland and giving film shows to children and aged—evacuated there.

Up to the present 276 shows have been given with audiences totaling 33,000.

So successful is the plan that efforts are being made to develop it, and a Government grant will be sought.

Short Subject REVIEW

"Homes of Today"

(*Pathe-FHA*)

A short subject produced by the Pathe News commercial department for the Federal Housing Administration for use as a propaganda film to encourage home building. The film shows a variety of homes available to families of low incomes. Done in color, the camera shows a variety of interiors, exteriors, floor plans and the like. Available through the F.H.A. Motion Picture Division. Running time, 11 mins.

HISTORY REPEATED

PLUS-X, Super-XX, and Background-X have established themselves firmly as the favorite raw films of the industry. In doing so they have repeated the history of Eastman films of other days. And they have done it through the same means: unmatched photographic quality, completely trustworthy uniformity. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work

Ampa Hears Quiz on Films By Air Expert

John Kiernan, New York *Times* sports columnist and star of the "board of experts" of "Information Please," radio show, turned the tables at the Ampa luncheon meeting at Stouffer's restaurant yesterday. Instead of being quizzed, he interrogated film industry "experts," who were assisted from the floor.

On the receiving end of the questions were C. C. Pettijohn, general counsel of the Hays office; Boris Morros, Arthur James and Gail Patrick, RKO player. The questions had been previously prepared by Ampa directors, and ranged from "What films were based on famous poems?" to "What film players' names remind you of parts of the human anatomy?" No prizes were awarded.

In addition to the program participants, at the speakers' table were Frederic Ullman, Jr., general manager of Pathe News, which produces the "Information Please" shorts; Frank Donovan, Pathe News supervisor, and Jean Edwards, who accompanied Miss Patrick.

Paul Lazarus, Ampa president, handled the program. Introduced were Charles Dorsa and Miriam Gibson of Monogram, new Ampa members; Anna Belle Ward, exhibitor of Lexington, Ky., and Ralph Curran, director for the Social Security board in New York.

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Building Trades Council Will Boycott Erroll Films

HOLLYWOOD, Nov. 16.—LEON ERROLL, film comedian, has been placed on the boycott list by the Los Angeles Building Trades Council because he allegedly refused to employ union men in the construction of buildings owned by him, according to C. J. HAGGERTY, secretary of the council.

"Although ERROLL, by virtue of his membership in the Screen Actors Guild, enjoys the protection of trade union membership, he has persistently refused to employ union labor in the construction of his buildings," Haggerty said. "Every Central Labor Council in the United States and Canada is being asked to instruct its members to stay away from theatres in which ERROLL's pictures are shown. There is no reason why ERROLL should expect trade union members to patronize his pictures when he refuses to employ them."

MERVYN LEROY has been given the annual *Parents Magazine* Award for "The Wizard of Oz," declared by the publication to be the best picture for family audiences produced this year in Hollywood

Titles of the first of the two new Warner series of short subjects have been set. "Penrod's Photo Finish" will be the first of the "Penrod" series, and "Sabotage" the first of the "Racket Busters" group. GORDON HOLLINGSHEAD will supervise the productions. . . . JOHN HOWARD has been borrowed from Paramount to play with WALLACE BEERY in "Arouse and Beware," Civil War story by MCKINLEY KANTOR, which LESLIE FENTON will direct. . . . M-G-M has changed the title of "Not Too Narrow, Not Too Deep," to "Strange Cargo." . . . ISABELL JEWELL has been cast for a supporting role in "Irene," HERBERT WILCOX production starring ANNA NEAGLE, for RKO release. . . . RUTH ROGERS gets the feminine lead in "Man from Bar 20," HARRY SHERMAN "Hopalong Cassidy" for Paramount release.

Golden Anniversary Hailed by U. S. Press

Press comment on the film industry in connection with the observance of its 50th anniversary this autumn was more than 96 per cent favorable, according to a survey of the comment just completed by the press department of M.P.P.D.A.

Garland Recovering

DENVER, Nov. 16.—Robert Garland, in the hospital for weeks, was given a watch and a $100 merchandise order by managers of the Fox Intermountain division, of which Garland is a district manager. Injured in an auto accident in August, Garland's arm was amputated. He is improving and expects to be back at work by Jan. 1.

Appeal Sunday Film Fine

DANVILLE, Va., Nov. 16.—Five theatre men recently fined here for violating the Sunday observance law have given formal notice of their appeal to the Corporation Court. They are Fleet Robinson, Jr., Walter Squire, Sterling Farley, William Jennings Clark and Lonnie Lee Long.

Film Currency

Hollywood, Nov. 16.—Metro has received special permission from the Government to photograph—for the first time—actual currency of the United States.

The permission was granted for a short subject which deals with the operations of counterfeiters. Jack Chertok is producing and Joseph Newman directing the two-reeler.

Cut Duty on English Imports to Canada

TORONTO, Nov. 16.—A revision of the regulations of the Department of National Revenue by order-in-council has had the effect of reducing the duty on imports from Great Britain by Canadian film distributors to the extent of 10 per cent.

The order provides that the duty is to be computed on the selling rate of the pound sterling as declared by the Foreign Exchange Control Board. The current selling price of sterling in Canada is $4.47, as compared with the previous fixed rate of $4.86 which went into effect in 1931 as the arbitrary value of the pound for duty purposes on imports from the United Kingdom. This concession was not granted when the Canadian Government ruled, after the outbreak of war, that duty on imports from the United States would be figured on the premium rate on the American dollar at $1.11, which virtually means a tariff increase on imports from the U. S.

Announcement has also been made that Canadian firms are required to make payment for imports in the currency of the country from which the goods have been bought and not from funds in another country. This has the effect of preventing Canadian film exchanges from making payments through home offices in New York, where the pound sterling is quoted around $3.90 as against $4.47, the pegged price in Canada.

'Ecstasy' Ban Upheld

ALBANY, Nov. 16.—The Appellate Division of the N. Y. Supreme Court yesterday refused to hear reargument of an appeal seeking permission for the exhibition of "Ecstasy" in New York state. Eureka Productions lost in its original effort to obtain approval of the revised film by the state censor board.

Drop Fox Stock Suit

Discontinuance of the stockholders' action of Millie Simm and Annie Kopple against Twentieth Century-Fox Film Corp., and its officers and directors was filed yesterday in N. Y. Supreme Court. No reason for the discontinuance was disclosed. Suit had asked for an accounting and damages against the company's officers for alleged wasteful acts.

'Mohawk' Hits Good $12,000, Leads Denver

DENVER, Nov. 16.—"Drums Along the Mohawk" took a strong $12,000 at the Denver, while "Jamaica Inn" drew $8,500 at the Denham. "Mr. Smith Goes to Washington" piled up $5,000 at the Aladdin in the second week.

Estimated takings for the week ending Nov. 15:

"Mr. Smith Goes to Washington" (Col.)
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $5,000. (Average, $3,500)

"At the Circus" (M-G-M)
"Full Confession" (RKO)
BROADWAY—(1,040) (25c-35c-40c) 7 days, 2nd week. Gross: $3,000. (Average, $2,500)

"Jamaica Inn" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days. Gross: $8,500. (Average, $6,500)

"Drums Along the Mohawk" (20th-Fox)
DENVER—(2,525) (25c-35c-40c) 7 days. Gross: $12,000. (Average, $9,000)

"Allegheny Uprising" (RKO)
"Dancing Coed" (M-G-M)
ORPHEUM—(2,600) (25c-30c-40c) 7 days. Gross: $7,300. (Average, $9,000)

"Here I Am a Stranger" (20th-Fox)
"Five Little Peppers" (Col.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4.000. (Average, $3,500))

"Roaring Twenties" (W. B.)
"Scandal Sheet" (Col.)
RIALTO—(878) (25c-40c) 7 days. "Roaring Twenties" 3rd week. Gross: $2,500. (Average, $1,750)

57 Bands to Appear In Musicians' Benefit

Fifty-seven top-flight bands have been arranged for the annual medical fund benefit of Musicians Union, Local 802, which will be held at Madison Square Garden, Monday, Nov. 27. Martin Block will act as master of ceremonies. WNEW will air the show.

Bands which have promised to appear include:

Benny Goodman, Paul Whiteman, Charlie Barnett, Guy Lombardo, Kay Kyser, Eddie Duchin, Artie Shaw, Glenn Miller, Jimmy Dorsey, Ben Bernie, Richard Himber, Don Albert, Les Brown, Isham Jones, Carlos Molina, Erskine Hawkins, Andy Kirk, Louis Armstrong, Roy Eldridge, Lee Shelly, Reggie Childs, Ben Cutler, Del Courtney, Eddie Delange, Joe Rines, Noble Sissle, Vincent Travers, Bob Zurke.

Also Teddy Wilson, Charles Baum, Nat Brandwynne, Emil Coleman, Enoch Light, George Olsen, Sammy Kaye, Eddie Le Baron, Jan Savitt, Nano Rodriguez, Claude Hopkins, Woody Herman, Al Donohue, Frank Dailey, Joe Venuti, Ina Ray Hutton, Romona, Mitchell Ayres, Bob Crosby, Johnny Green, Jack Jenny, Frankie Masters, Johnny Messner, Ruby Newman, Dick Stabile, Mattie Malneck, Louis Prima, Freddie Rich, Tommy Tucker and Blue Barron.

WOR Gives Bonuses

WOR announced bonuses for all employes who have been with the station prior to Jan. 1. They will be paid Dec. 5. Employees earning $50 or less will receive two weeks' salary, while those earning more will receive one week's pay. Those who joined the station between Jan. 1 and July 1 will receive one-half of these sums.

Higher Wages For Television Fields Sought

(Continued from page 1)

year agreement on wages but may waive a written contract.

The question of the ultimate jurisdiction over television is not being considered at the present time, official sources said. A member of any 4-A union will be permitted to work for television. No decision has been made yet as to actors or announcers who work solely before the iconoscope. It is believed that the number of such performers is so small that they do not constitute a serious problem. However, there may be a provision requiring such performers to select one of the unions and join. A.F.R.A. is considered the most likely selection.

Disturbed by reports in the daily press that the committee had ousted Equity from jurisdiction, Paul Dullzell, Equity executive secretary, issued a formal statement yesterday denying this report.

Dullzell, after pointing out that the committee was sanctioned by Equity as part of the general 4-A reorganization, declared that the purpose was to profit by the knowledge of the members of other branches.

"Under these circumstances," he stated, "Equity does not admit the right of this committee or of any subcommittee appointed by it to administer a jurisdiction which is, and always has been Equity's. Equity intends to proceed with the organization of the field of television and to exercise its jurisdiction in that field."

Financiers Urged To Back N.Y. Films

Mayor La Guardia, in his campaign to secure film production in New York City, has extended his efforts to the three fronts of finances, labor and production, a close aide to the Mayor stated yesterday.

The Mayor has been in touch for several weeks with some of the larger New York financial houses, and has progressed satisfactorily in his attempts to interest these concerns in Eastern production, the Mayor's aides claimed.

Another conference was held yesterday between the Mayor and his executive labor committee. The purpose of these conferences, it was said, is to secure cooperation of all labor unions in Eastern production and to avoid the dangers of jurisdictional squabbles between unions.

By securing peaceful and adequate union help, one of the Mayor's assistants asserted, financial concerns interested in production here would all the more readily lend their backing.

On the actual production front, the Mayor yesterday conferred with John Butler, former manager of production for Paramount Pictures, and Gil Boag, both of whom expressed a willingness to the Mayor to start shooting pictures here if cooperation can be guaranteed.

The Mayor's attempts to secure full labor cooperation to financial and producing companies is given added force by the labor troubles of Western companies which face a threatened strike of twenty-one studio craft unions.

Hollywood Reviews

"That's Right, You're Wrong"

(RKO)

HOLLYWOOD, Nov. 16.—Whatever it is that Kay Kyser's got which makes his radio "Kollege of Musical Knowledge" a Wednesday night "must listen" for a steadily mushrooming number of millions of radio fans, he has in this most extraordinary motion picture.

What he's got here that he hasn't got on the air is a supporting cast inclusive of such experienced and profit-building personalities as May Robson, Adolphe Menjou, Edward Everett Horton, Roscoe Karns, Lucille Ball and Hobart Cavanaugh, plus a story no less than inspired in its disarmingly frank treatment of Kay Kyser and his band troupe as themselves. If this isn't a box-office natural, everybody who saw the Hollywood preview of it guessed wrong but enjoyed it no less.

Skilled, successful David Butler takes down triple honors for the film, producing it, directing it and writing the story in collaboration with William Counselman, who draws double credit because of collaborating in turn with James V. Kern on the screenplay. What he and they did is an astoundingly simple thing. The film opens with a studio head ordering his ace producer to bring Kay Kyser to Hollywood and make a picture with him that will be as popular as his radio program.

He brings Kyser and his troupe to town and discovers, after toiling with his untoiling writers, that Kyser is not screen material, so attempts to irk the band leader into breaking his contract. Kyser is tipped off by the writers and turns the tables on the producer, receiving check in full for settlement of his contract and returning to his beloved radio. "That's Right, You're Wrong" is, of course, the picture produced with the man who, says the story, is not picture material.

Kyser is, of course, picture material of the best variety, a down-to-earth personality possessed of ability to pour into a microphone, or camera, a flow of nonsense which makes his fans grin and feel good. His is an unique talent, comparable to none other and probably inimitable. The picture brings it to the screen unchanged, unconditioned and as if materialized at point of delivery into the great American home any Wednesday night.

Running time, 88 minutes. "G."* ROSCOE WILLIAMS

*"G" denotes general classification.

"City in Darkness"

(20th Century-Fox)

HOLLYWOOD, Nov. 16.—"City in Darkness," the latest of the popular "Charlie Chan" stories, is packed with topical exploitation value, its plot unfolding to show the machinations of a foreign spy ring in Paris while France and the world were tense with dread in September, 1938. War impends, the spy ring attempts to get clearance papers for a ship carrying munitions, two murders occur, an innocent married couple becomes involved and Chan, again portrayed by Sidney Toler with his customary aplomb, solves the case.

Lynn Bari, Richard Clarke, Harold Huber, this time in a comedy role, Pedro de Cordoba, Dorothy Tree and C. Henry Gordon constitute the principal support of Toler. A play by Gina Kaus and Ladislaus Fodor was adapted to the Earl Derr Biggers characters by Robert Ellis and Helen Logan, who dressed the script with timeliness and punch. The tempo of the situations, maintained against a blackout of a threatened air raid, was kept at a high pitch by Herbert I. Leeds' direction. John Stone was associate producer under Sol M. Wurtzel.

After unraveling a mess of clues, Toler, aided and hindered by a jittery student of police methods played by Huber, breaks up the ring and enables Miss Bari and Clarke, the married couple, to clear themselves of suspicion.

For the final fadeout, Toler, upon hearing that Hitler has invited Chamberlain and Daladier to the Munich conference, says: "Wise man say beware of spider who invite fly into parlor."

Running time, 75 minutes. "G."* VANCE KING

*"G" denotes general classification.

London Accord on Remittances Heard

(Continued from page 1)

issued officially, it is understood there was general agreement on the need for an immediate declaration of government policy on the film situation.

A resolution embodying that agreement was passed, it is understood. It also was generally agreed that any undue curtailment of remittances by American distributors would have the effect of decreasing imports, with an equivalent curtailment of quota production and a possible product shortage.

Cinema Lodge Of B'nai Brith Gets Charter

Nearly 200 members of the industry attended the charter presentation of the Cinema Lodge, No. 1365, B'nai Brith, in the grand ballroom of the Hotel Edison last night. The presentation was by Harry B. Epstein, president of District Grand Lodge No. 1 of the order.

With A. W. Schwalberg of Warners, president of the new lodge, occupying the chair, the meeting heard addresses by representatives of the Protestant, Catholic and Jewish faiths.

Speakers included the Rev. Dr. C. Jeffares McCombe of the St. Andrew and St. Paul M. E. Church; Rabbi William F. Rosenblum of Temple Israel; Jeremiah O'Carrol, editor of *Wisdom,* Catholic publication; Harry Goldberg, chairman of the Anti-Defamation Committee of the B'nai Brith; Dr. Samuel Ravinett and Harry Cohen of Rehoboth lodge, and Epstein.

Telegrams of greeting were read from Governor Lehman, Will H. Hays and Nat Levine, president of the Beverly Hills B'nai Brith lodge and Barney Balaban, president of Paramount.

The attendance included a number of ranking executives. On the dias were Joseph Bernhard, Clayton Bond, Carl Leserman, Abe Montague, John J. O'Connor, George Payne, William F. Rodgers, George J. Schaefer, Abe Schneider, William Scully, Gradwell L. Sears, Herman Starr, Major L. E. Thompson, Jack Warner, Jr., Jesse Block, Harold Rodner and Leonard Schlesinger.

Final Loan Obtained For GN Refinancing

(Continued from page 1)

has been approved by the R. F. C.

Completion of the financing and transfer of the loans to Educational-Grand National will require several additional weeks, at the end of which time the companies are scheduled to receive an additional $1,000,000 of financing from Felt & Co., downtown investment house, and associates.

Employes recently laid off to conserve the companies' cash will be reinstated on completion of the initial financing.

Under the reorganization plan recently filed with the Federal court here, Educational-Grand National proposes to pay creditors in full on a term basis over a period of 18 months. The initial $600,000 loan will be used for first payments to creditors and for working capital. Financing for production will be available from the Felt loan.

Tippett Trial Jan. 16

Trial of the $600,000 breach of contract suit of John D. Tippett, Inc., against Universal Pictures was set for Jan. 16 yesterday by N. Y. Supreme Court Justice Levy. Plaintiff is suing on an alleged contract made in 1932 under which the defendant agreed to purchase a substantial part of its raw film stock requirements for five years.

Radio Programs

Earl Harper starts a twice-weekly discussion of baseball over WNEW, Tuesday, Nov. 21, at 9:30 P.M. The "Hot Stove League," as the program will be known, will feature interviews with baseball players during the off-season. It will be heard Tuesdays and Thursdays.

"I Give You Your Life" will be the title of Molly Picon's second year's series of programs over WMCA. Last year it was known as "I Give You My Life." Program will have dramatization of lives of listeners who send in letters. It will be heard Sundays at 6 P.M., starting Nov. 26. Maxwell House Coffee is sponsoring.

Mutual starts two new 15-minute weekly sustainers Sunday, Nov. 26. At 7:45 P.M., "New Tunes" will be heard with Bob Stanley's orchestra and Patricia Ryan as vocalist. The program will air songs published during the week. "New Voices," at 9:45 P.M., will present professional singers who have not yet achieved any degree of stardom.

"Li'l Abner," a 15-minute Monday-through-Friday series, based on the comic strip of the same name, starts Monday over NBC-Red at 6:45 P.M. The scripts are written by Al Capp and Charles Gussman.

Benay Venuta, Bob Stanley's orchestra, Pauline Alpert and the Charioteers start a new weekly variety show over Mutual Dec. 1. It will be heard Fridays at 9:30 P.M.

CBS "First Nighters" program starts its 10th year on the air Friday, Nov. 24, at 9:30 P.M.

First of the remote-pickups of bands by WHN is the Frankie Masters orchestra from the Essex House Casino. It is heard Tuesdays and Thursdays at 9 P.M.

George Hamilton Combs, Jr., is now heard seven days weekly in his news commentary series over WHN, at 7:45 P.M. Adam Hats is sponsoring new Saturday and Sunday periods, while Fruit Industries continues on the other days.

Agree on $153,030 'Lynton' Damages

Total damages of $153,030 against Loew's, Inc., M-G-M Pictures Corp., M-G-M Distributing Corp. and Culver Export Co. for alleged plagiarism by the film, "Letty Lynton," of the Edward Sheldon and Margaret Ayer Barnes play, "Dishonored Lady," was fixed in a decree submitted to Federal Judge Bondy yesterday.

Plaintiffs' share of the net profits of the picture reduced recently by the U. S. Circuit Court of Appeals to one-fifth are stipulated in the decree at $115,803. Attorneys' fees are fixed at $34,595 and costs at $2,632. Attorneys for both sides have agreed to the decree which requires Judge Bondy's approval.

Hughes, Beck on Air

Howard Hughes, winner of the Collier aviation trophy, and Thomas H. Beck of the Crowell-Collier Publishing Co., will speak at 7 o'clock tonight on NBC-Blue. Hughes was given the trophy for his globe-girdling flight.

'Public Necessity' Clause Gets New FCC Definition

WASHINGTON, Nov. 16.—Enunciating a new interpretation of the phrase, "public necessity," as used in the Communications Act, the Federal Communications Commission today reversed itself to grant the application of F. W. Meyer, Denver, for a construction permit for a new broadcasting station which it denied last May.

In changing its position, the Commission pointed out that all of the full-time stations now operating in Denver are affiliated with national chains, so that the hours in which they may reach the largest audience are not available for local broadcasting.

The proposed new station, it said, would afford an effective means for local governmental, educational, civic, charitable and community organizations to reach the radio public.

"Nothing in the Communications Act, our rules and regulations or our policy requires a finding of a definite need to support the grant of an application," the F.C.C. said in rejecting the contention of opponents of the station that there was no public necessity for additional facilities.

"The 'public interest, convenience or necessity' which the statute provides as the basis for a grant cannot be construed as a mandate that actual necessity for the particular facilities be shown—indeed, the words 'public necessity' in the act are not to be construed narrowly, but rather as calling for the most widespread and effective broadcast service possible," the report explained.

Film Exports in 9 Months Drop Off 27,000,000 Feet

(Continued from page 1)

American films during the nine-month period were reported by Golden as follows:

Positive film: Argentina, 10,315,328 feet valued at $175,991 against 10,971,889 feet valued at $185,803 in 1938; Brazil, 10,129,376 feet valued at $195,695 against 9,733,235 feet valued at $190,063; Mexico, 6,432,713 feet valued at $177,848 against 7,077,867 feet valued at $207,934; United Kingdom, 5,776,339 feet valued at $156,452 against 10,764,320 feet valued at $283,542.

Negatives: Canada, 2,385,779 feet valued at $133,818 against 3,167,971 feet valued at $117,363; United Kingdom, 1,140,581 feet valued at $40,958 against 1,133,883 feet valued at $45,621; Australia, 1,055,538 feet valued at $36,880 against 622,511 feet valued at $14,199; Mexico, 65,089 feet valued at $11,093 against 42,199 feet valued at $769.

Statistics on equipment show exports of 108 35 mm. cameras valued at $39,453 against 149 valued at $86,379 last year; 14,415 16 mm. cameras valued at $385,159 against 19,109 valued at $496,170; 892 35 mm. projectors valued at $279,240 against 747 valued at $261,877; 14,847 16 mm. silent projectors valued at $324,586 against 16,637 valued at $502,599; 1,241 16 mm. sound projectors valued at $187,958, against none; sound recorders, $166,591 against $208,466.

KTOK Is Defendant In Contract Action

OKLAHOMA CITY, Nov. 16. — The Faith Tabernacle Association, Inc., has brought suit in District Court here for $4,200 damages against KTOK for alleged breach of contract.

Named as formal defendant in the suit was the Oklahoma Broadcasting Co., Inc., which operates the station. The association claims it signed a contract in March, 1931, by which it was to receive one hour a day radio time for 10 years. The association said that on April 28 the station refused to allow more than four and a half hours a week.

'Twenties' Grosses $52,000 for Strand

Grosses proved strong during the first part of the week with first week films held over in almost all cases. The weather was clear and cold and materially aided the boxoffice, particularly in the evenings.

At the Strand, "The Roaring Twenties," aided by Bob Crosby's band on the stage, grossed an estimated $52,000 for its first stanza and continues. "Drums Along the Mohawk," with a stage show, produced an estimated $46,000 for its second week at the Roxy, and will go for a third week.

"Dancing Coed" did not score at the Capitol, where it drew an estimated $18,000, and made way for "At the Circus" yesterday. At the Rivoli, "First Love" clicked with an estimated $30,000 for its first week and is held over.

The largest gross was turned in by "Ninotchka," with a stage show, at the Music Hall, where an estimated $105,000 was collected. The film continues a second week.

"Rulers of the Sea," supported by a personal appearance of Martha Raye and Bob Zurke's band, drew an estimated $40,000 at the Paramount in its first week and also holds over. "The Cat and the Canary" opens there Wednesday.

Set NAB Denver Meet

DENVER, Nov. 16. — The contract with the musicians' union, N.A.B. code, A.F.R.A. and developments in connection with Broadcast Music, Inc., will be the principal topics under discussion at the meeting of the 14th district of the National Association of Broadcasters here Dec. 9. Gene O'Fallon, district director, has invited all stations in Colorado, Wyoming, Utah, Montana and Idaho to send delegates to the meeting, which will be attended by Melville Miller, N.A.B. president, and other officials.

Radio Personals

Tom Wolf, formerly contact man for WOR's "Welcome Neighbor" program from the World's Fair, has been named night representative at the press department. Wolf was formerly with the editorial staffs of *Life*, *Time* and the New York *Post*.

Lincoln Dellar, manager of WBT, Charlotte, is in town to confer with CBS officials. Harold E. Fellows, manager of WEEI, Boston, who also came in for conferences at CBS, returns to Boston today.

E. Jennings Pierce has been appointed NBC educational director on the West Coast.

John Hayes, recently appointed WOR production manager, became the father of a boy yesterday. Mrs. Hayes and their son are at the Methodist Episcopal Hospital.

Herbert R. Ebenstein, president of Radio Attractions, is en route to Los Angeles for conferences with Edward Sloman, producer of the "Pinocchio" series. The series has been sold to three new department store sponsors: Globe Department Store, Los Angeles, on KEGA; Condon's, Charleston, S. C., on WCSC; and Sterchi Bros., Asheville, N. C., on WWNC. All are 15-minute programs, and are presented thrice weekly.

Alan Courtney, conductor of "Housewife's Delight" over WOR Mondays through Fridays at 1:15 P.M., and two variety shows over Mutual, has entered the National Crochet Championships.

Executives Elected By Columbia Artists

Appointment of four new vice-presidents was announced yesterday by the Columbia Artists Bureau, and its Coast affiliate, Columbia Management of California.

Herbert I. Rosenthal, manager of the Artists Bureau, was named executive vice-president, a newly-created post, and I. S. Becker, business manager, was also elevated to the post of vice-president, and will continue, in addition, in his present position.

On the Coast, Murray Brophy, manager, has been appointed executive vice-president, and Rudolph Polk has also been named vice-president.

NAB Code Is Topic Of Mutual "Forum"

Mutual's "American Forum of the Air" will air a discussion of the N.A.B. code in its regular period Sunday at 8 P. M. The speakers will be General Hugh S. Johnson, columnist; Morris Ernst, counsel for the American Civil Liberties Union; Edward Kirby, secretary of the code committee and director of publicity for the N.A.B., and Martin Codel, publisher of *Broadcasting*. The talks will originate from the Department of Interior Building in Washington.

KMPC Power Boosted

HOLLYWOOD, Nov. 16.—G. A. Richards, owner of KMPC, Beverly Hills station, today announced that the Federal Communications Commission had approved a power increase from 500 to 5,000 watts day and 1,000 watts nightly, becoming effective in 20 days.

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 99 NEW YORK, U. S. A., MONDAY, NOVEMBER 20, 1939 TEN CENTS

Biggest Xmas Theatre Rush In Years Seen

Six Holiday Box-Offices In 10-Day Period

Theatre executives are looking forward to year-end holiday business of record-making proportions with both Christmas and New Year's Days falling on Mondays, thus providing an extended holiday and weekend combination unusual in the showmen's calendar.

Circuit operators believe that the extended Christmas weekend will tend to advance the usual holiday business pick-up by a few days. Ordinarily, theatre attendance does not recover from its pre-Christmas week low until Christmas Day, but operators believe that because of the weekend coincidence this year the pick-up may begin on the Friday preceding Christmas, and, with a possible tapering off on Saturday, will run to near maximum proportions for Sunday and Monday.

It is also anticipated that attendance will continue at near capacity levels during the entire vacation week between Christmas and New Year's, as is customary, and will reach record-making levels over the extended three-day New Year's weekend.

The coincidence of the holidays and weekends, operators point out, gives theatres six days of holiday admission scales within a 10-day period, a stimulus which they feel should result in exceptionally large grosses in all well-populated centers. Many operators are giving careful thought and planning to their film bookings for the two extended holiday weekends in order to realize the maximum on the opportunity offered.

Through well-planned programs,

(*Continued on page 6*)

Harts' U. A. Verdict Upheld on Appeal

A jury verdict of $190,484, with interest of $86,450, in favor of William S. and Mary Hart against United Artists Corp. was upheld Friday in a 3-to-2 decision of the Appellate Division of the N. Y. Supreme Court.

The verdict had been awarded to the plaintiffs on Nov. 4, 1938, after a trial before Justice Bernard L. Shientag during which the Harts successfully contended that U. A. breached an agreement to distribute the Hart film, "Tumbleweeds."

The $500,000 suit alleged that the

(*Continued on page 6*)

Stanley Statement Is Expected Today

London, Nov. 19.—The long-anticipated statement by Oliver Stanley, president of the Board of Trade, on withdrawal of currency by American film companies and plans for the stimulation of production here, is expected Monday.

$600,000 in Loans To Pay GN Debts, Creditors Are Told

Grand National Pictures will have a working capital of $100,000 after payment in full of priority and secured claims and a first payment of 25 per cent to unsecured creditors, Earle W. Hammons, president of the company told creditors at a meeting Friday.

The company will obtain $600,000 by loans of $450,000 from the Reconstruction Finance Co., $100,000 from Erpi, $15,000 from the National City Bank, $10,000 from De Luxe Laboratories and $25,000 from Lloyd Wright, Hammons stated.

The R.F.C., however, will not extend its loan until 30 days after actual confirmation, Hammons testified during the hearing held before Referee Peter B. Olney Jr., and it will have a first lien on company assets until fully repaid. The loan will be repaid by weekly installments which will gradu-

(*Continued on page 6*)

PRODUCERS, UNIONS IN WAGE DEADLOCK

Vogel Is Named To Loew's Board

Joseph R. Vogel, executive in charge of Loew circuit operations outside of New York, on Friday was elected a member of the board of Loew's, Inc.



Joseph R. Vogel

A Loew statement said the election is in recognition of Vogel's thirty years' service with the company. Starting as an usher while a New York City high school student, Vogel successively rose in the circuit, and in 1921 was appointed the first manager of Loew's State on Broadway. Several years ago Vogel succeeded to the post left vacant by Col. E. A. Schiller, general operating executive.

Vogel's appointment to the board fills the vacancy left by the recent death of Judge Isidor Frey of Loew's legal staff.

Recently, Vogel was made vice-president and a director of Loew's

(*Continued on page 5*)

Strike Action Due Today As Ultimatum Expires; Studios Unyielding

A strike, shutting down all Hollywood studios, loomed today as producers and unions over the week-end continued at odds over the demands for a 10 per cent wage increase made by 21 unions.

New York will back Hollywood on any reply it may give today to the ultimatum of the unions, which expires at 2:30 p.m., it was ascertained here over the weekend.

If Hollywood rejects the unions' demands and studio labor makes good its threat to take "action" by going out on strike, New York home offices will not intervene.

Hope for Compromise

However, it was apparent from comments on the situation by home office officials that either a compromise of the unions' demands or a postponement of the deadline for a decision is hoped for here.

Either eventuality, it is said, is up to the unions for determination in their discussions with the studio labor committee today.

All Hollywood, from top executives to laborers, discussed the gravity of the situation as a walkout of thousands of workers was considered imminent in view of the existing deadlock. However, many were optimistic. These persons believed that a last-minute decision will avert the strike and wage negotiations will be resumed.

Executives Oppose Increase

Fred Beetson, executive vice-president of the Association of Motion Picture Producers, said on the Coast that no meeting of producer representatives had been called, but added significantly: "It is but a matter of a few minutes to call a session."

Executives in Hollywood, approached for a statement revealing their attitude on the most serious crisis the industry has encountered in years, re-

(*Continued on page 6*)

I.A. Reinstates 200 Who Quit Union and Organized CIO Guild

Hollywood, Nov. 19.—Apparently as a Thanksgiving Day gesture, George E. Browne, International president of I.A.T.S.E., has granted "amnesty" to virtually all those members expelled from Hollywood locals because of their membership in the C.I.O.-financed United Studio Technicians Guild, it was learned yesterday. Browne, in the East, wired the headquarters here to restore membership to almost all of those expelled. According to reports about 200 lost their cards in the dispute between the Guild and the Alliance, which ended in the former's defeat under a N.L.R.B.-sponsored consent election over the bargaining agency.

I.A.T.S.E. spokesman declared Browne said:

"I.A.T.S.E. recognizes that these men who have worked in studios for many years had been misled by a few zealots and were misguided in their efforts. The union does not wish to deprive them of their right to make a living. There is no spirit of vindictiveness in the Alliance."

Those who remained outside of the I.A.T.S.E. roster were not disclosed by local offices and no word concerning the future status of Howard Robertson, chairman of the Guild, was learned. Losing the I.A.T.S.E. card is tantamount to unemployment under closed shop.

Spitz, Jim Roosevelt At Hyde Park Estate

Leo Spitz and James Roosevelt were among the guests at the Hyde Park estate of President Roosevelt yesterday, when the President laid the cornerstone of the Franklin D. Roosevelt Library being erected there.

Government officials, as well as a number of state officials, were on hand for the ceremony. They attended a luncheon preceding the event.

Purely Personal

MR. AND MRS. JACK COHN left Friday for the Coast, to be away about two weeks.

•

JOHN MURPHY and BEN JOEL of Loew's, and LOU WEINBERG of Columbia and MRS. WEINBERG, whose son, ARTHUR, is at Yale, attended the Yale-Princeton game at New Haven Saturday.

•

ISABELLA AUSTIN, secretary to HOMER HARMON, publicity director of the Roxy, returns to her desk today after a two-week vacation.

•

WALTER CONNOLLY, stage and screen actor, arrived Saturday. He was accompanied by his wife, NEDDA HARRIGAN.

•

TOM MAHONEY, formerly with *Look,* has joined the General Electric Co. press department at Schenectady.

•

DAVID KIMELMAN, Paramount branch manager in Pittsburgh, is at the Montefiore Hospital for a checkup.

•

RALPH MORGAN, Screen Actors Guild President, arrived via TWA Skychief Friday from the Coast.

•

CARRIE MORGAN of the 20th Century-Fox exchange in Seattle has married LARRY WIER.

•

HENRY KOSTER delayed his departure for the Coast and now plans to leave Wednesday.

•

WILLIAM POWELL plans a vacation in South America.

•

ROBERT TAYLOR and BARBARA STANWYCK leave for the Coast today.

Poletti Is Honored By Law Associates

A reception was tendered Friday to Lieut. Gov. Charles Poletti at the offices of Diamond, Rabin, Botein & Mackay on the occasion of his becoming counsel to the law firm. About 20 friends and personalities of the film, music, radio and stage fields attended the reception.

Milton Diamond, well-known film and radio attorney, heads the firm and other members are Bernard J. Rabin, Bernard Botein, David Mackay, Samuel Yamin, George J. Wise, Benjamin Pollack, Jerome H. Adler, Rudolph Littauer-Apt, and Leopold V. Eastman.

Studies Foreign Situation

M.P.P.D.A. board of directors is scheduled to meet again tomorrow following an adjourned session on Friday. Last week's meeting was described as a general discussion of the foreign situation without final conclusions being reached because of the still undecided status of Britain's wartime regulations of currency withdrawals and production requirements.

Purchase Cronin Novel

HOLLYWOOD, Nov. 19.—Columbia has purchased "The Doctor of Lennox," novel by A. J. Cronin, author of "The Citadel." Wesley Ruggles will produce and direct the film.

Hollywood Review

"Geronimo"

(*Paramount*)

HOLLYWOOD, Nov. 19.—With a roll of drums and a call of trumpets, "Geronimo" brings to the nation's screens the new season's successor to the "Stage Coach" of memorable box office performance.

Again the villain of the piece is Geronimo, Apache scourge of the Southwest in the last quarter of the 19th century—here seen in vivid action. Again the screen teems with characters chiseled from the stuff which closed this country's last great frontier. Again that frontier is photographed with the precision of a dry point, the sweep of an oil painting.

The story, in outline, has an easy familiarity; being concerned with the hard-bitten army general and his sensitive and hero-worshipping son, whose reaction to his father's military strictness is first rebellion, then comprehension; the heroic army captain, whose reward is a posthumous decoration at the hands of the country's President; the salty Indian scout; the Indian chief bound to avenge the murder of his family, and the General's wife, killed as she accompanies her son's fiancee to the outpost.

But as held together by Paul Sloane's direction and screenplay, the familiarity of the ingredients never palls; falls rather into the pattern of a story better liked because better known, with freshness provided by the beauty of the photographic approach, the excellence of the characterizations.

Andy Devine, seen as the driver of "Stage Coach," is here a down-to-earth Indian scout with a talent for understanding the workings of the Indian mind, but none for that of a woman. Ralph Morgan gives an outstanding performance as the general whose duty overshadows family relationships, and William Henry gives a good account of himself as the son. Preston Foster is well cast as the courageous and understanding captain, while Gene Lockhart is completely credible as the white man who furthers Geronimo's ambitions and provides him with guns and ammunition.

Ellen Drew, Marjorie Gateson and Kitty Kelly depict the feminine roles in the story well, with Chief Thunder Cloud providing a suitably majestic and fearful Geronimo.

Running time, 88 minutes. "G."* WALTER SELDEN

*"G" denotes general classification.

Warners Complete All Circuit Selling

Warners have completed their circuit selling for the 1939-'40 season, with the closing of two circuit deals, according to Gradwell L. Sears, general sales manager.

The two circuits which signed for the complete lineup of features, shorts and trailers, are the T. & D. Junior Circuit, operating 34 houses in California and Nevada, and the Crescent Amusement Co., and affiliated units, controlling 64 theatres in Georgia, Tennessee and North Carolina. In the first deal, Carl Leserman, Sears' assistant, acted for Warners, and Mike Naiffy for the circuit, and in the second deal, Ben Kalmenson, Western and Southern sales manager, signed for the company, and Tony Sudekum for the circuit.

Hall Gets 'Balalaika'

Among the M-G-M films which will go into the Radio City Music Hall, in addition to "Ninotchka," the current attraction, is "Balalaika," which will follow "We Are Not Alone," Warner picture. "We Are Not Alone" is booked for the Music Hall on Nov. 30. RKO's "Hunchback of Notre Dame" will play at the Music Hall after "Balalaika."

Buxbaum Heads Drive

Harry Buxbaum, New York branch manager for 20th Century-Fox, has been named chairman of the Motion Picture Exchanges Committee of the Jewish Federation drive.

Morris Katz Is Dead; Father of Sam, Harry

CHICAGO, Nov. 19.—Morris Katz, father of Sam and Harry Katz, died here Friday following a long illness.

Sam Katz, one of the founders of the Balaban & Katz circuit here, is now a production executive for M-G-M. Harry Katz, also formerly identified with the B. & K circuit, is now an official of Monarch Theatres, Indianapolis.

Poli-New England, Eastern in Merger

NEW HAVEN, Nov. 19.—A certificate of ownership merging Poli-New England Theatres, Inc., into Eastern Theatres, Inc., with assumption of all liabilities and obligations, has been recorded here.

Eastern Theatres, Inc., relinquishes its corporate name and assumes the name of the merged corporation, Poli-New England Theatres, Inc., which includes the circuit in New Haven, Hartford, Bridgeport, Meriden, Waterbury, Worcester and Springfield.

Resumes Russian Films

After a lapse of two months, Russian pictures resume at the Cameo today when "Shors," Amkino film, starts an extended run. The 42nd St. house has been specializing in Russian product several years, but lately has been running French and other films.

Ohio Court Rules Bank Night Illegal

TROY, O., Nov. 19.—Bank Night as operated by the Troy Amusement Co. is a violation of the Ohio lottery law, according to a ruling by Common Pleas Judge Richard L. Cameron, at Marysville, in dismissing an injunction suit filed by the company to prevent seizure of its equipment at the Mayflower under a search warrant.

"The presence of the three elements as required by law, a consideration given, a prize awarded, and determination of winners by chance, makes Bank Night a lottery," the decision read. "There was no argument in the company's petition about the presence of the last two elements, "but even though a person could claim a prize without purchasing an admission ticket, others had purchased tickets for the drawings, and this constitutes a consideration." Quoting from other court decisions, the court added: "The requirement of signing a register, and to be outside the theatre or arrive within three minutes after the drawing, is likewise a consideration."

Mississippi Court Holds Game Lottery

YAZOO CITY, Miss., Nov. 19.—Bank Night was ruled a lottery in an opinion handed down here by Chancellor M. B. Montgomery in a suit brought against Dixie Theatres, Inc., by John S. Holmes, a resident. An injunction halting its operation was issued. The Chancellor's ruling said that "in the actual operation of the scheme, persons on the average are paying a valuable consideration for a chance to win and the Bank Night in question is therefore a lottery."

Dee Lowrance Goes West on UA Publicity

Dee Lowrance, specialist on fashion publicity for United Artists, left over the weekend for the Coast via American Airlines. In Hollywood, she will work on promotion for David O. Selznick's "Rebecca," Edward Small's "My Son, My Son!" and other films for United Artists release.

She will return to New York in about two weeks, after which Albert Margolies, U. A. publicity manager, will go to the Coast for conferences in connection with the holiday runs of "Rebecca" and "Of Mice and Men," Hal Roach film.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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MR. SMITH MAKES IT OFFICIAL!



(*from nationwide King Features Syndicate*)



Turkey carving technique is so important that M. G. M. has produced a short about it, "Let's Talk Turkey", featuring Pete Smith, who says, 'Me! I just tear 'em limb from limb'.



Pete's 'blitzkrieg' attack on the bird gets immediate results, though it may be a bit offside on etiquette.



Smith's way may be effective, but here's the right way. First remove leg and wing, turn bird on its side, shift the knife to the breast, and then carve in horizontal motion towards you.

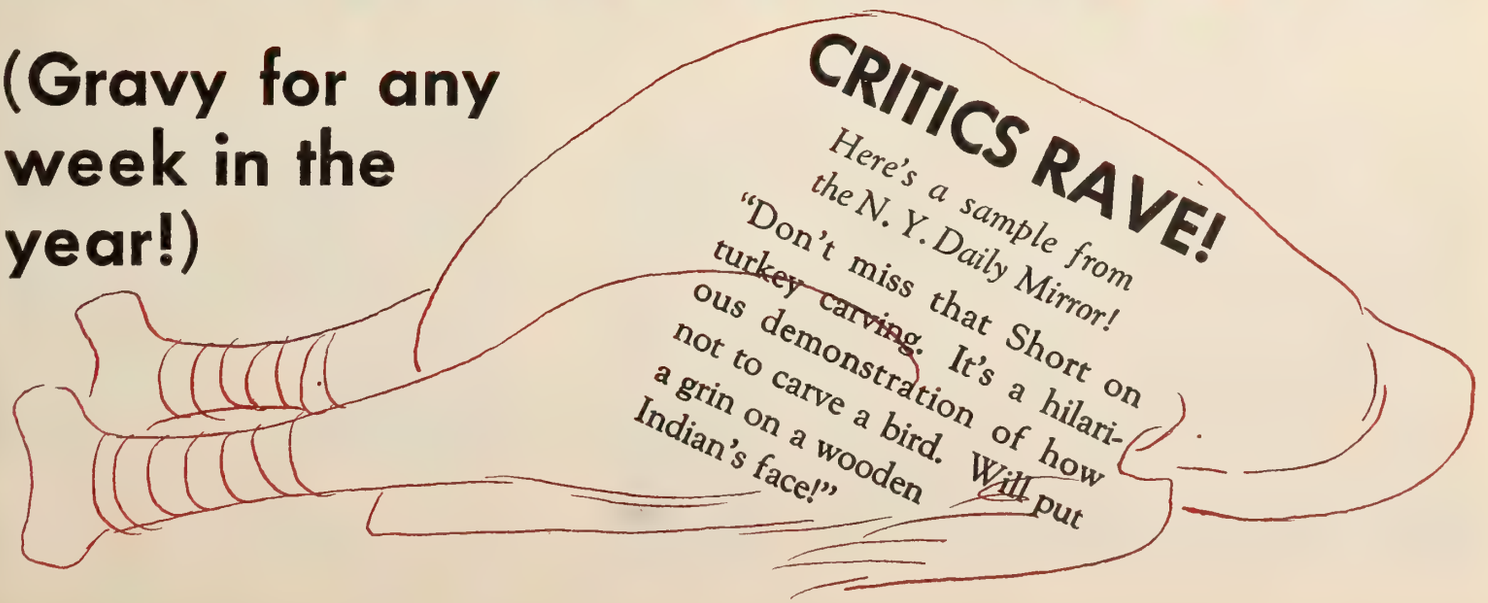
FREE PUBLICITY MATS at M-G-M Branch! Above is typical of current nationwide newspaper publicity. Human, amusing press tie-ups that bring the folks to the theatre. Easy to plant!

No matter when you play it, it's THANKSGIVING at the box-office!

PETE SMITH'S HILARIOUS M-G-M SHORT—

"LET'S TALK TURKEY"

(Gravy for any week in the year!)



"Gone With The Wind" in Pictures



Clark Gable as "Rhett Butler."



Vivien Leigh as "Scarlett O'Hara."



Leslie Howard as "Ashley."





Significant scenes from story of the South.





Ona Munson as "Belle Watling."

Short Subject Reviews

"Mendelssohn's Wedding March"
(M-G-M)

An unusually excellent musical. Done in color, this "Miniature" tells how Mendelssohn came to write his famous "Wedding March." A young violinist is heard playing part of Mendelssohn's violin concerto. Later he plays "On Wings of Song." Mendelssohn decides to send the young man to study music and agrees to write a wedding march for his marriage. Should have a wide appeal. Running time, 8 mins.

"Let's Talk Turkey"
(M-G-M)

Here is a timely subject on the proper method of carving the Thanksgiving and Christmas turkey. Max O. Cullen, the culinary expert, shows how the expert does the carving. He is followed by a typical husband who blunders through the chore. This sequence is one of the most hilarious we have seen in a long time and should draw laughs from any audience. A worthwhile addition to any program. Pete Smith does the commentary. Running time, 10 mins.

"Quaint St. Augustine"
(FitzPatrick-M-G-M)

Continuing the "See America" series, this FitzPatrick "Traveltalk" provides a view of St. Augustine, Fla., oldest permanent settlement in America. The picturesque architecture is shown. Natives act out the historic scenes in 16th century costumes. Highlights are scenes showing ostriches swallowing whole oranges, and the legendary site of Ponce De Leon's fountain of youth. Running time, 9 mins.

"Dad for a Day"
(M-G-M)

Our Gang plans a Father and Son picnic but runs into complications when it discovered that one member of the Gang has no daddy. They enlist the services of a young garage attendant to act as foster father for a day and a real romance develops as a result. A good plot. Running time, 11 mins.

"Ski Birds"
(M-G-M)

This Pete Smith "Specialty" should not be confused with the run-of-the-mill ski jump reels. It is a thrilling and novel reel filled with laughs and spectacular jumping. Skiing at 90 miles per hour in streamlined helmets, sliding down hills on shields, bicycle-skiing and several other novelties are included. Running time, 8 mins.

Theatres Collect Toys

SAN ANTONIO, Nov. 19.—In one of the few states observing Thanksgiving on both Nov. 23 and 30, San Antonio will celebrate the days by collecting toys and food at the theatres for the needy at Christmas time. From Nov. 22 to 29, charity week will be fostered.

Exploitation

Hay Rides Exploit Theatre in Iowa

JEFFERSON, IOWA, Nov. 19.—Percy Long, manager of Pioneer's Iowa here, celebrated Harvest Week with free hay rides each night for all patrons of the theatre. He also arranged for two admissions to each farmer bringing one bushel of corn to the house.

'Mr. Williams' Takes Girls to Night Spots

NEW ORLEANS, Nov. 19.—To plug "The Amazing Mr. Williams," at the Orpheum a man was presented on the opening day to any young, unmarried girl registering at the box-office. The winning girl was accompanied on a tour of four night clubs.

Huffman Uses Booth At Denver Auto Show

DENVER, Nov. 19.—Harry Huffman garnered live publicity for the Fox houses here, when he took a booth at the auto show. Attractive girls gave out free coupons on the theatres' weekly auto giveaway.

M-G-M Has Clever Folder on 'Ninotchka'

M-G-M used a clever folder on "Ninotchka." In the form of a letter, the piece was "postmarked" and addressed to "Adorable Ninotchka—Moscow," with a "Censored" stamp across the face. Inside were exploitation ideas on the film.

Taxpayer Refuted In Film Tax Case

COLUMBUS, Ohio, Nov. 19.—Defense attorneys have filed an answer in Franklin County court here, denying the contentions of John V. Bostwick, plaintiff and a taxpayer, in his action to compel the state to collect the state sales tax on film rentals in Ohio. The accumulated sales tax amounts to more than $2,000,000, plus penalties and interest.

Bostwick's counsel is expected to file his answer shortly, and the case probably will be heard during the January term of the court. Exhibitors and distributors are defending the action jointly with the state. The State Tax Commission had exempted film rentals from the three per cent sales tax.

U. S. Films Dominate Norwegian Market

WASHINGTON, Nov. 19.—Of a total of 346 films shown in Norway in 1938, 212 were American, 41 German, 32 Swedish, 29 French and 17 British, according to a report from the American consulate in Oslo.

An increased opportunity for American films in the Norwegian market, in view of the European war situation, is seen by Nathan D. Golden, chief of the Motion Picture Division of the Department of Commerce, with British and Continental production seriously curtailed.

Mrs. Ernest Pascal Dies

LOS ANGELES, Nov. 19.—Mrs. Barbara Herriman Pascal, wife of Ernest Pascal, screen writer and playwright, died here late last week following an operation. She was 31. A five-year-old daughter also survives.

'Smith,' with $15,500, Providence Winner

PROVDENCE, Nov. 19.—With fine Armistice Day trade boosting grosses, it was a generally good week here. The State's dual, "Mr. Smith Goese to Washington" and "Smuggled Cargo," led with a strong $15,500.

Estimated takings for the week ending Nov. 7-9:

"Mr. Smith Goes to Washington" (Col.)
"Smuggled Cargo" (Rep.)
LOEW'S STATE—(3,230) (25c-35c-50c) 7 days. Gross: $15,500. (Average, $11,000)
"Drums Along the Mohawk" (20th-Fox)
"Honeymoon's Over" (20th-Fox)
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $8,300. (Average, $7,000)
"The Cat and the Canary" (Para.)
"Sabotage" (Rep.)
STRAND—(2,100) (25c-35c-50c) 7 days. Gross: $7,500. (Average, $6,000)
"First Love" (Univ.)
"The Girl the Gambler" (RKO)
RKO-ALBEE—(2,239) (25c-35c-50c) 7 days, 2nd week. Gross: $5,300. (Average, $6,000)
"Mr. Wong in Chinatown" (Mono.)
FAY'S—(1,800) (25c-35c-40c) 7 days. Stage show featuring Aquacade Octette, Don Rice, Burns' Canary Circus, Al Verdi and Co., Renna and Co. Gross: $7,000. (Average, $6,500)
"The Roaring Twenties" (W. B.)
"Hawaiian Nights" (Univ.)
CARLTON—(1,526) (25c-35c-50c) 6 days. Gross: $3,800. (Average, 7 days, $3,500)
"Dancing Co-Ed" (M-G-M) (3 days)
"The Spellbinder" (RKO) (3 days)
"Honeymoon in Bali" (Para.) (4 days)
"What a Life" (Para.) (4 days)
EMPIRE—(2,200) (20c-30c) 2nd run. Gross: $1,200. (Average, $1,800)

Associates Meet Today

Final plans for the annual dinner and dance of the Motion Picture Associates at the Hotel Astor next Saturday night will be discussed at a luncheon meeting of the members at the Astor today. Jack Ellis, president, is arranging the program.

Reich Houses Start Air Raid Precaution

Although the war is in its third month, theatres in Germany only recently were ordered to take air raid precautions, such as was done in England and France at the outset of hostilities. Advices received in New York say that exhibitors have been instructed to consult local air raid protection officials. German theatres are also subject to blackout regulations.

Vogel Is Named To Loew's Board

(*Continued from page 1*)

Realty & Theatre Co., a subsidiary. C. C. Moskowitz, chief of Loew's New York circuit, also is a director of Loew's, Inc., and of the theatre holding subsidiary.

Chicago Ban Upheld On 'Beasts of Berlin'

CHICAGO, Nov. 19.—Police Commissioner Allman has ruled that "Beast of Berlin" will be banned in Chicago. He upheld the report of Lieut. Harry Costello, city censor, that the film is propaganda against the German Government.

Sells Iowa Theatre

AUDUBON, Iowa, Nov. 19.—Harry Pace has sold the Broadway here to Floyd Thompson of Owatonna, Minn.

"Mister Durant's pinned under his car, and the fire's gonner git him if ye don't come and lift it up."



"JEEPERS CREEPERS"
with
WEAVER BROTHERS and ELVIRY
ROY ROGERS • MARIS WRIXON
A Republic Picture

Deadlock Over Studio Wages; Strike Looms

(Continued from page 1)

iterated part of an official statement released by the producers last week as follows:

"We believe the industry would refuse to grant this increase, but the matter will be submitted to N. Y. company heads for a decision."

Union leaders on the Coast remained silent over the week-end. It could not be ascertained whether they would order a walkout immediately after the strike ultimatum expires at 2:30 p.m. today, or grant the producers additional time to make an upward revision of the wage scale. It was apparent, nonetheless, that studio unions are determined to win their demand for a 10 per cent wage boost.

Apparently no discussion of the Coast labor situation occurred at the adjourned meeting of the M.P.P.D.A. board of directors on Friday. Company officials who attended the meeting said that the subject was not discussed.

Available comment came from individual company executives but nevertheless reflected an unvarying attitude. That was that the demand for a wage increase at this time was unreasonable and should not be entertained by the studio negotiating committee; that the time allotted for discussion of the demand was too short, in that it did not provide sufficient time for the companies to determine a definite appraisal of the extent of loss of their European revenue, and that any response to the demand by the Coast negotiating committee, even if it meant a shutdown of production, would be supported by home office action.

Major companies, for the most part, feel that they are in a favorable position insofar as production schedules are concerned. Practically every company has a backlog of releases sufficient for the next two to four months. Moreover, the observation that a complete shutdown of the industry, including theatres, might not be an adverse development, was heard frequently.

It was pointed out in this respect that the industry might even welcome a breathing spell during which it could determine the extent of its losses of European revenue and scale its operations accordingly. This process would include not only the revision of production schedules and budgets, it was said, but the entire problem of industry salaries—executive as well as professional.

Production Drops Lowest 1939 Level

Hollywood, Nov. 19.—As a strike threat hovers over the studios, production has dropped to its lowest level since last April. Only 33 pictures are before the cameras with 85 in the cutting rooms. Warners leads with 27 and Paramount is next with 15. This figure does not include features already shipped to laboratores for release printing.

New York Reviews

"Rovin' Tumbleweeds"

(*Republic*)

Gene Autry and Smiley Burnette get into store clothes for a while when Autry goes to Congress to put a flood control bill through to save the ranches of his constituents. The film undertakes to tell the tale of the unfortunate migratory workers who are forced from their homes and compelled to work for pitiful wages, and also undertakes to provide a view of the inside of the nation's capitol.

The result, with the exception of a number of hard riding and fistic interludes, is a complicated western. Gene sings two songs, "Paradise in the Moonlight" and "Ole Peaceful River," among others, which should prove popular and aid exploitation.

Mary Carlisle, as a special events radio announcer, is broadcasting from the scene of a flood and picks up a song which Gene is singing. He becomes a national sensation and is signed by a radio station and, later, induced to run for Congress. When he arrives in Washington, he finds Miss Carlisle waiting for him to act as his Washington-wise secretary.

He is unable to get consideration for his bill and returns home just as a new flood begins. Gene enlists the aid of the migratory workers and compels the crooked politician, William Farnum, to aid in stopping the flood. The latter, subsequently, promises to give his support to the bill.

Running time, 64 minutes. "G."* EDWARD GREIF

"Heroes in Blue"

(*Monogram*)

Family relationships clash with the call of duty in this melodramatic story of a big city's police force. Although several tense situations are developed, the action frequently lags.

Frank Sheridan, a special patrolman, finds that his two sons, Dick Purcell and Charles Quigley, are pursuing opposite paths. Dick joins the police force while Charles falls in with a gang of racketeers.

The latter becomes involved in a murder and Dick is ordered to arrest his brother and bring him in to headquarters. Later, when Charles is convicted, Dick obtains the evidence which proves his brother's innocence.

All three give convincing performances and are ably supported by Lillian Elliot as the mother, Julie Warren as Dick's sweetheart, and Edward Keane as the gang leader.

The screenplay was written by C. B. Williams and was based on a story by Charles Curran and Williams. William Watson directed and T. R. Williams produced.

Running time, 59 minutes. "G."* EDWARD GREIF

*"G" denotes general classification.

Harts' U. A. Verdict Upheld on Appeal

(Continued from page 1)

agreement had been made on April 28, 1925, and that the defendant had block-booked the film with "Wild Justice," an allegedly inferior picture. U. A. was charged with obtaining lower rentals for "Tumbleweeds" while securing a higher rental for its other picture. It was also accused of failing to keep accurate books of account.

The prevailing decision was rendered without opinion. Justice Irwin Untermyer, in dissenting, stated that the plaintiffs should recover "only a fraction of the verdict" because, he said, they had failed to prove that the defendant, except in a few instances, had block-booked the picture.

Order Lynch Examined

The Appellate Division of the Supreme Court on Friday ordered Stephen A. Lynch, defendant in a suit for $250,000 legal fees brought by David Stoneman, to appear for examination before trial. Plaintiff claims to have represented Lynch from 1933 to 1936 during Paramount-Publix reorganization hearings.

$600,000 in Loans To Pay GN Debts

(Continued from page 1)

ally increase from $1,700 to $8,000, he continued.

Hammons, during cross-examination by attorneys for minority creditors, conceded that the company was operating at the present time at a weekly deficit of $2,000 to $3,000. The personnel of G.N. has been reduced to a skeleton organization, Hammons stated, and no salaries of over $100 weekly will be paid during the reorganization. After questioning Hammons, minority creditors obtained the right to have its accountants inspect the company's books and records.

A statement covering cash receipts and disbursements from Nov. 2 to 15 was submitted, showing $39,565 cash at hand. On Nov. 2 the company had $20,266 on hand, and during the period to Nov. 15 received $34,501, including a loan of $17,000 from the National City Bank. Expenditures totaled $15,202 for the same period, the statement disclosed.

Referee Olney adjourned the first meeting until Nov. 22 at 10:30 A.M. and at the same time fixed Dec. 4 as the date for a hearing on confirmation of the plan.

Biggest Xmas Theatre Rush In Years Seen

(Continued from page 1)

many hope not only to present the best shows available for the holidays but also to get additional performances into their schedules during the peak of the holiday attendance.

Situation in Cincinnati Area

CINCINNATI, Nov. 19.—Theatre business will not be stimulated by the double Christmas holiday this year, is the consensus of exhibitors in a survey of the Cincinnati trade territory.

"The fact that Sunday intervenes between the end of the shopping period and Christmas Day will not make this different from any other year," declared the veteran head of a major circuit, who is a keen student of mass psychology. "Theatres probably will get the usual play from transients away from home, or those permanent residents who live in hotels and the like, but these are in the minority. The traditional holiday slump will prevail just as it has done in other years.

"The usual festivities on Christmas Day will keep people away from the theatre, except possibly late in the day, same as it always has. This year, however, the extra time provided by the double holiday will permit people to go out of town who otherwise would not have that opportunity.

"Those who remain at home will not be theatre-minded on Sunday, what with relaxing from the strenuous days preceding, and the completing of final details for Christmas celebrations. For these reasons, there is, if anything, a possibility that the double holiday may prove a detriment rather than an advantage to the theatres."

B. C. Sees Business Rush

VANCOUVER, B. C., Nov. 19.—Christmas usually means one outstanding day's business to theatres of this area—the day after Christmas, which is Boxing Day and a public holiday.

This year local theatre men look for two good days' business, with Christmas day following a Sunday, giving the store and office workers a chance to rest up after the hectic last-minute Christmas shopping rush.

Already a number of downtown houses have planned special shows for Christmas and Boxing Day. In addition some of them will have special midnight shows starting just after midnight Sunday. All theatres are closed in British Columbia on Sundays.

Weak Business in South

BIRMINGHAM, Ala., Nov. 19.—The Christmas season is always a stay-at-home period, so local theatres are not looking for much more business this year, despite the fact that Christmas comes on Monday, giving a whole week-end plus Monday for relaxation.

R. R. M. Kennedy, manager of the Wilby-Kincey houses, said there was at least a chance for the houses to do more promoting, but that right now his organization was more concerned with Thanksgiving than with Christmas. In the South where large families predominate, the Christmas season is usually pretty bad on the movie houses.

"Bargain"

▪ ▪ ▪ "EVEN AT DOUBLE THE PRICE, AS FAR AS I'M CONCERNED, THE HERALD IS STILL A GOOD BARGAIN" ▪ ▪ ▪

R. BARR

UNION STEAMSHIP COMPANY
OF NEW ZEALAND LTD.
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MOTION PICTURE HERALD

ROCKEFELLER CENTER NEW YORK

Odlum Seen As New CBC Board Chief

MONTREAL, Nov. 19.—Brig. General Victor Odlum of Vancouver is expected to be new chairman of the board of Governors of the Canadian Broadcasting Corp., according to persistent reports.

General Odlum is in Ottawa at present conferring with members of the Government. General Odlum would succeed Leonard Brockington, Winnipeg, who was head of the board for the first three-year term.

Rene Morin, a member of the board, has been acting chairman for the past month. Odlum was publisher of the now defunct Vancouver *Daily Star* and is well known in Canadian journalistic and financial circles. He is 59 years old.

Changes effective Dec. 1 affect four executive staff members of CBC. Peter Aylen, station manager of CBR at Vancouver for the past year, is being transferred to CBC's national program office in Toronto. James Finlay, CBR program supervisor, is going to CBL, Toronto, to continue production work. Two new producers—Ernest Morgan from CBL, Toronto, and Andrew Allan—will come to CBR in the switch.

Baird Starts Early Production in U.S.

Baird Television, subsidiary of Gaumont British, plans to start manufacturing operations in the United States shortly after Jan. 1, according to Arthur Lee, American vice-president.

The company plans to concentrate largely on theatre television, using a screen 15 by 20 feet, which has been perfected.

Introduction of the Baird system has awaited the redesigning of sets to make electrical circuits and tubes conform with American requirements.

Baird has experimented with direct-wire television transmission in conjunction with CBS.

Wobber and Levy Back in City Today

Herman Wobber, general sales manager of 20th Century-Fox, and M. A. Levy, Minneapolis district manager and Kent drive leader, return to New York this morning and will hold the final meeting in a series in connection with the drive. The two have been on a nationwide tour.

Attending the session here will be Harry H. Buxbaum, branch manager; Joe J. Lee, New Haven sales manager; William Sussman, Eastern division manager, and others from the home office, in addition to branch personnel.

Wobber, Levy and Sussman on Saturday attended a session in Boston and another in New Haven.

Consolidated Dividend

Consolidated Films Industries, Inc., has declared a dividend of 25 cents per share on the outstanding preferred stock, payable Dec. 27 to stockholders of record on Dec. 5.

Radio World Brevities

WILFRED S. ROBERTS, who recently rejoined NBC after a six-month leave during which he worked for Paramount, has replaced William S. Rainey as manager of the production division, John S. Royal, vice-president in charge of programs, disclosed over the weekend. Rainey has joined Trans-American Broadcasting and Television Corp. as a program executive.

Adam Hats will sponson three fight broadcasts from Madison Square Garden over NBC-Blue. On Dec. 1, it will be the Armstrong-Ambers bout; Dec. 15, Larkin-Davis; Jan. 5, Battina-Apostoli. Sam Taub will do the blow-by-blow while Bill Stern will provide the color. A special hookup will carry the first fight to CBC.

WENY, Elmira, joins Mutual Sunday, Nov. 26.

The United Fruit Co. contract for sponsorship of a 15-minute nightly newscast for 52 weeks over NBC's short wave stations beamed to Latin America was inked Friday. The news will be in Spanish and will be followed by a 45-minute sustaining variety show. Said E. S. Whitman, advertising manager of United Fruit: "The program is sponsored strictly in the interests of goodwill. There will be no product selling."

Afraid of using too many of the available guest stars, NBC is discontinuing the Mort Lewis show, "Fun With the Famous," as a sustainer and will make a drive to obtain a sponsor for the show.

Featuring an air show of the air, dramatizations of the exploits of famous aviators will be used in "Sky Blazes," a weekly show over 48 CBS stations. Continental Baking Co. will sponson on behalf of Wonder Bread. Phillips H. Lord is producing the show. Benton & Bowles is the agency. It starts Saturday, Dec. 9, at 7:30 P. M.

"Country Club Revue," a 30-minute variety show, introduced several months ago as a sustainer over WSAI, Cincinnati, has added six new stations.

A talent quest has been started on KMOX, St. Louis, on Saturday mornings. Youngsters under 16 are permitted to compete for cash prizes.

Lloyd C. Douglas, novelist and philosopher, will be guest on Gabriel Heatter's "We, the People" over CBS Sunday at 9 P. M. . . . Eleanor Phelps, heard in Edith Meiser's daily serial, "Life and Love of Dr. Susan" was married last week to Halfdan Hebo, Danish inventor. Ezra Stone, star of "The Aldrich Family," has been appointed chairman of the actors' division of the Christmas Seal campaign.

In a two-way tieup, "Adventures in Photography" is offering $275 in monthly prizes for the photographs which best symbolize a program heard on NBC-Blue. "Adventures in Photography" is an NBC-Blue sustainer heard Wednesdays at 10:30 P.M.

The Gulf Oil "Screen Guild" show will remain in the East for only three weeks instead of its scheduled four. Helen Hayes and Fredric March will co-star in the second show over CBS Sunday, Nov. 26.

There is some talk that Dave Elman's "Hobby Lobby" may do a road tour of personal appearances in theatre stage shows if terms can be arranged with Fanchon & Marco. "We, the People" is also scheduled to take to the road shortly.

E. Roosevelt Named New Network Chief

Elliot Roosevelt was elected over the weekend to the presidency of the proposed Transcontinental Broadcasting System. Jack Adams, who was selected at the first election, served in the office temporarily as a representative of Roosevelt.

Roosevelt also heads the Texas State Network, which is an affiliate of Mutual. The latter network has a contract with the Texas State which does not expire until Jan. 1, 1941, Mutual officials declared.

Roosevelt, in a letter to Mutual and TBS over the weekend, declared that over 100 stations have contracted for 20 weekly hours of serial programs offered by Blackett-Sample-Hummett.

Technicians in New Membership Drive

Motion Picture Laboratory Technicians, Local 702, has started a campaign to organize film editors, newsreel cutters, free lancers, film cutters, sound cutters and librarians employed in the metropolitan district. A meeting is planned for next week.

Negotiations for laboratory technicians are pending now with Malcolm Film Laboratory and Pathe Film Laboratory, 45th St., and contracts may be signed this week, union officials declared.

Philharmonic Starts 2-Week Tour Today

The Philharmonic Symphony, numbering 104 musicians under the baton of John Barbirolli, today embarks on a 14-day tour, its first extended visit to the hinterland in 10 years.

Three Canadian dates are included. Barbirolli also celebrates his 40th birthday during the Toronto engagement on Dec. 2. The orchestra plays its first Carnegie hall concert following the tour on Dec. 7 with Fritz Kreisler as soloist.

Itinerary of the tour follows: Today, Scranton; Nov. 21, Baltimore; Nov. 22, Washington; Nov. 23, Pittsburgh; Nov. 24, Toledo; Nov. 25, Kalamazoo; Nov. 26, Chicago; Nov. 27, Ann Arbor; Nov. 28, Columbus, Nov. 29, Dayton; Nov. 30, Hamilton, Ont.; Dec. 1, Ottawa; Dec. 2, Toronto and Dec. 3, Utica.

Buy 'Women Only'

HOLLYWOOD, Nov. 19.—Twentieth Century-Fox has purchased an original story, "For Women Only" by Hilda Stone. Sol M. Wurtzel will produce it as one of the three "Hotel for Women" films, and is scheduled for early production.

Two Ready at Republic

HOLLYWOOD, Nov. 19.—Republic announces it will shortly put in production "Down Mexico Way" and "The Great Diamond Robbery," for which scripts are in preparation.

'Smith' Holds Seattle Lead With $7,900

SEATTLE, Nov. 19.—"Mr. Smith Goes to Washington" held its lead in the second week, scoring $7,900 at the Liberty, and continuing. "First Love" and "Little Accident" grew $6,800 at the Paramount.

Estimated takings for the week ending Nov. 17:

"Jamaica Inn" (Para.)
"Two Bright Boys" (Univ.)
BLUE MOUSE—(950) (25c-40c-55c) 7 days, 2nd week. Gross: $2,700. (Average, $4,000)

"Intermezzo" (U. A.)
"Too Busy to Work" (20th-Fox)
FIFTH AVENUE—(2,500) (25c-40c-55c) 7 days. Gross: $6,100. (Average, $7,000)

"Mr. Smith Goes to Washington" (Col.)
LIBERTY—(1,800) (25c-40c-55c) 7 days, 2nd week. Gross: $7,900. (Average, $5,000)

"Babes in Arms" (M-G-M)
MUSIC BOX—(950) (25c-40c-55c) 7 days, 4th week. Gross: $2,300. (Average, $4,000)

"The Housekeeper's Daughter" (U. A.)
"Range War" (Para.)
ORPHEUM—(2,450) (25c-40c) 7 days. Gross: $6,300. (Average, $6,000)

"Private Lives of Elizabeth and Essex" (W. B.)
PALOMAR—(1,500) (15c-25c-40c) 7 days. Gross: $5,500. (Average, $5,000)

"First Love," (Univ.)
"Little Accident" (Univ.)
PARAMOUNT—(3,050) (25c-40c) 7 days. Gross: $6,800. (Average, $6,000)

U. S. Presses Tax Inquiry on Coast

WASHINGTON, Nov. 19.—Additional Investigators will be assigned to the motion picture tax case in Los Angeles this week by the Department of Justice, it was learned following a series of conferences between Attorney General Murphy and Department officials engaged on the cases.

It was revealed at the Department that the men against whom the Government is proceeding remain firm in their stand that the methods they adopted in making out their income returns were within the law. No offers for settlement have been received, it was admitted by the Attorney General.

Newark Ledger Suspends

The *Newark Ledger* has been purchased by the *Star-Eagle* in the New Jersey city. Paul Block suspended *Ledger* publication on Saturday. The paper's assets and circulation will be merged with the *Star-Eagle*, published by S. I. Newhouse.

U. S. Attacks Race News Broadcasts

Washington, Nov. 19.—With the dissolution of the Annenburg nationwide racing news service, Department of Justice officials this week turned their attention to the dissemination of race news and results by broadcasting stations and other media.

Determined to stamp out bookmaking, the Department, which recently succeeded in wiping out that largest racing news service in the country, is expected to move in the near future against all other methods of distributing racing information.

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 100 NEW YORK, U. S. A., TUESDAY, NOVEMBER 21, 1939 TEN CENTS

Bankers Offer Cash to Back Films in East

Give La Guardia Promise To Aid Producers

The Irving Trust Co., Chase National Bank of New York, Empire Trust Co. and a number of investment houses tied up with J. P. Morgan & Co. have told Mayor LaGuardia that they are definitely interested in Eastern film production, one of the Mayor's closest aides stated yesterday.

As the price for active financial backing, the banks will require producers to put up a minimum of 30 per cent of all costs, the Mayor's aide said. This stand has been taken, he declared, to act as a brake on some "irresponsible" producers, who have besieged the Mayor recently in their anxiety to make pictures in the East.

These banks, he continued, were ready to finance production to the varying extent of from 50 to 70 per cent. Some of the banking houses in addition to asking 30 per cent from producers, may require studio own-

(*Continued on page 2*)

Stanley Statement Delayed Till Today

LONDON, Nov. 20.—The Films Council met today and will meet again on Tuesday to continue its consideration of the industry's war-time problems, including those relating to future production activities of American companies here and the Government's fiscal policy in relation to American distributors.

Although still lacking official confirmation, it is believed that Oliver Stanley, Board of Trade head, who was expected to disclose the new Government regulations at to-day's meeting, will be present on Tuesday and will inform the Council then of his intentions regarding the industry.

Store Uses Midget Show, Lures Trade

CHICAGO, Nov. 20.—Goldblatts, one of this city's largest department stores, is featuring a stage show of 56 midgets. It is a 25-minute show which the store offers to customers for 10 cents. The store houses a 400-seat theatre.

As part of the store's Christmas

(*Continued on page 2*)

Grosses Keep Firm Pace on Broadway; 'Ninotchka' Leading

Holdovers along Broadway showed consistently high grosses over the weekend. With the aid of the holiday Thursday, a big week is anticipated. Cold weather is continuing to aid the box-offices.

In its second week at the Music Hall, "Ninotchka," with a stage show, gave no indication of a slackened pace, and $100,000 appears in prospect for the second week's tally. The first five days brought an estimated $77,000.

"Rulers of the Sea" drew an estimated $14,000 at the Paramount over the weekend. It was aided by a personal appearance of Martha Raye and Bob Zurke's band, and should do $30,000 for its second week which ends tonight.

"Beasts of Berlin" is proving a strong draw at the Globe, with an estimated $5,000 for its first two days. "Fugitive at Large" drew an estimated $5,000 at the same house last week.

At the Roxy, "Drums Along the Mohawk," with a stage show, now in its third week, grossed an estimated $29,000 for the first four days of the third stanza.

"The Roaring Twenties" attracted an estimated $30,000 for the first four days of its second week at the Strand where it was aided by a stage show featuring Bob Crosby's band.

At the Rivoli, "First Love" garnered an estimated $10,000 over the weekend to start its third week. The second week produced an estimated $24,000. "Port of Shadows" goes into the 55th St. Playhouse Friday.

PRODUCERS GIVEN BREATHING SPELL

B-K to File Replies In U. S. Suit Dec. 2

Chicago, Nov. 20. — Oral argument continuing for 10 days is expected to follow the filing of answers to the government's charges in the suit against Balaban and Katz and the majors on Dec. 2. Indications are that a decision in the case will not be handed down until after Jan. 1, although government attorneys are anxious for an early ruling.

Laughton, Pommer Sign RKO Contracts

HOLLYWOOD, Nov. 20. — Charles Laughton and Erich Pommer, temporarily suspending their activity in Mayflower Pictures Corp., have signed individual contracts with RKO.

Laughton, who has completed work in the starring role of RKO's "The Hunchback of Notre Dame," under his new contract will play the lead in a story to be produced by Leo McCarey, set for production in January. It will be followed by a second film starring Laughton, to be produced by Pommer for RKO. Pommer's first film as a producer for RKO will star Maureen O'Hara, who plays in "The Hunchback of Notre Dame."

Strike Action Postponed; Meeting Set Friday; Progress Made

HOLLYWOOD, Nov. 20.—Hollywood's jitters, induced by a threat of unions to strike and therefore close down all studio production activities, subsided late today as the unions granted the producers a "breathing spell" until Friday afternoon.



Joseph M. Schenck

After a three and a half hour meeting today, both sides expressed satisfaction with the progress so far made in the controversy which is raging over the demand of A.F. of L. craft unions for a 10 per cent wage increase.

Peaceful Settlement Hinted

Indications are that both sides before Friday, will be able to work out an amicable adjustment of their differences over the issue of the upward revision of salaries. However, noticeable today was a firmness of producers to cling to their conviction that a wage increase, if granted at this time, would have a disastrous effect upon production in general.

Joseph M. Schenck, president of the Association of Motion Picture Producers, and Meyer Lewis, A.F. of L. Western director, both said that they were "pleased" with the progress

(*Continued on page 2*)

Musicians to Seek More Jobs in Picture Industry

That the American Federation of Musicians intends to ask the film industry to increase the employment of musicians was revealed yesterday in a reply made to the A.F.M. by the Independent Radio Network Affiliates, Inc., an organization representing approximately 300 radio stations.

The reply was to the A.F.M. demand that the independent radio group increase its annual expenditures for staff musicians by $1,500,000. The radio people now are asking the A.F.M. what has the latter done by way of getting the film business to make such increased expenditures.

In its answer to the A.F.M., the I.R.N.A. chides the A.F.M., saying it would be more proper if the musicians' organization proceeded against the film industry instead.

The I.R.N.A. presently spends about $3,000,000 annually on staff musicians. Altogether I.R.N.A. claims its music cost amounts to between $10,000,000 and $15,000,000 annually.

After setting forth the claim that broadcasting had increased employment for musicians, the committee declares:

"You assured us that we were not alone in the program of your Federa-

(*Continued on page 6*)

Odeon, Paramount Ready to Sign Deal

LONDON, Nov. 20.—A deal whereby Odeon will acquire seven or eight of Paramount's theatres here is expected to be signed this week.

The deal was negotiated last Summer by Stanton Griffis, chairman of the Paramount executive committee, but its closing was delayed by the outbreak of the war.

Apprised of the London report, Stanton Griffis said yesterday: "There is nothing that can be said at this time on the Odeon deal."

Bankers Offer Cash to Back Films in East

(Continued from page 1)

ers to guarantee 20 per cent of the cost, he stated. It was also learned that the banks would only deal with producers ready and able to make a minimum of three feature pictures in the East.

The Mayor's aide stated that the banks would ask for a preliminary understanding with producers, placing a definite ceiling on their salaries and on those of executives and film stars. Veto power over salaries, under any agreement, would be reserved by financial backers during the entire production period.

Emissaries of the Mayor have visited practically all the large banking houses in New York in an effort to interest them in production here, it was said.

Warner Suit Over Posters Is Settled

Through William Jaffe, of the law firm of Rosenblatt and Jaffe, an agreement settling the controversy which had arisen from a suit brought against the Behrendt Poster Co. by Warner Bros., involving alleged infringement of Warner Bros. posters, has been reached. Under the agreement members of the National Poster Association will be authorized to purchase and sell W. B. posters.

Simon Libros, president of the NPA, and George Aarons, general counsel, came here last week for the conference which resulted in the settlement. Harold Berkowitz and Al Schwalberg, besides Carl Lesserman, acted for Warner Bros.

Store Uses Midget Show, Lures Trade

(Continued from page 1)

merchandising plan, the midgets are provided with their own "Tiny Town" to live in at the shop, located on the same floor as the toy department.

This is not the first time that the Goldblatt Store has conducted such presentations as business stimulants.

According to merchant opinion, if theatres can use free merchandising giveaways such as dishes, cutlery and beautifying articles to attract customers, stores may just as well offer free or low-priced shows.

Award to U. A. Short

The Good Housekeeping Shorts Preview Board has voted honorable mention to "Eternal Fire," World Window subject released by United Artists.

For Lunch, Dinner or Supper
LaHIFF'S TAVERN
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MEETING and EATING PLACE
156 W. 48th St. Tel. CHickering 4-4200

Purely Personal

NATE BLUMBERG, president of Universal, and MRS. BLUMBERG, will leave for the Coast on Friday.

•

E. W. SCHNITZER, Warner district manager, is conferring in Syracuse with PAUL KRUMENACKER, Albany exchange manager, and CHARLES RICH, Buffalo manager.

•

MRS. JERRY ROCK, wife of the Warrensburg, N. Y., exhibitor, is recovering at home from a broken knee cap, suffered in a fall a few days ago.

•

EDWARD DOWDEN of Loew's was treasurer of the committee arranging the testimonial dinner to EDWARD ZELTNER at the Hotel Bossert, Brooklyn, last night.

•

WILLIAM SCULLY, JOSEPH WEINSTOCK, TED O'SHEA and DAVID A. LEVY at Nick's Hunting Room in the Astor for lunch yesterday.

•

EDMUND SOUHAMI, counsel and field secretary of Allied of New York, is in Syracuse today attending a meeting of the organization's regional unit.

•

BRYAN FOY, Warner producer, arrived here yesterday from the Coast for home office conferences. He will be here about two weeks.

•

MURRAY SILVERSTONE, head of world-wide operations of United Artists, arrives in Hollywood today.

•

GAIL PATRICK planes out for the Coast today via American Airlines.

•

MR. and MRS. JOHN BALABAN will return to Chicago on Friday.

•

MR. and MRS. LEO SPITZ will leave for Chicago on Friday.

•

JOHN FARMER is leading the RKO bowling league.

•

FRANK LLOYD is in town from the Coast.

•

CARLOS ISRAELS has a birthday today.

•

JULES LEVY has returned to town.

SOL ROSENBLATT (Rosenblatt & Jaffe) was among the guests on Sunday at Hyde Park, where President Roosevelt laid the cornerstone for the Roosevelt Memorial Library.

•

LOUIS NIZER, ARTHUR KRIM, HARRY BUXBAUM, JOSEPH LEE, OSCAR SERLIN, HERMAN WOBBER, SI FABIAN, CHARLES CASANAVE, TOBY GRUEN, CHARLES SONIN and JOHN GOLDEN lunching at Sardi's yesterday.

•

DR. DOMINGO A. NARVAEZ, Monogram distributor in Venezuela and producer of Spanish language films, is in town.

•

FRANCHOT TONE arrived yesterday from California via American Airlines.

•

MELVYN DOUGLAS arrived Sunday via American Airlines from Hollywood.

Brandt Tours With Film Alliance Chief

Harry Brandt, vice-president of Film Alliance, foreign film distributros, left last night with Nat Wachsberger, his associate, for a tour of key cities to select distribution agencies for their product. The company has 15 British and 10 French films for distribution, according to official advices.

Roman Loses Agnew Plea

N. Y. Supreme Court Justice Levy yesterday denied an application of Benjamin Roman for an order directing Neil F. Agnew, vice-president of Paramount Pictures, Inc., to testify before trial. Roman is suing Paramount for $250,000 for alleged breach of a contract which gave the plaintiff exclusive right to reissue "The Spoilers" and "Morocco" in New York and New Jersey. Justice Levy, however, ordered Joseph Unger, Paramount Eastern sales manager, Milton Kusel and Myron Satler to testify on Nov. 27.

Admissions to Vary On Selznick's 'Wind'

Three cities will have day-and-date runs of "Gone With the Wind" at two theatres, but at different admission scales, according to M-G-M's present plans. The road show policy will prevail at one theatre while the other will play the film at advanced tariffs.

This arrangement will be in effect in New York, where the Astor will charge $2.20 top nights and 75 cents matinees for the two-a-day run beginning Dec. 19. The Capitol's price will be $1.10 top.

Double day-and-date engagements have been lined up also for the Carthay Circle and United Artists, Los Angeles, and the Orpheum and State, Boston.

An announcement trailer of about 150 feet, with no pictorial matter, will be supplied to theatres for announcement of policy on the run of the picture. The studio is making a one-reel short giving background and describing behind-the-scenes operations of the production, which will be released by M-G-M in its shorts schedule.

Equity Gets Ticket Code Text Today

The complete text of the new ticket code is scheduled to be presented to the Council of Actors Equity this afternoon for final adoption. Committees from Equity and the League of New York Theatres met yesterday and agreed on all points but the attorneys had not completed the papers.

In the event of a last-minute disagreement between the lawyers, the committees will meet again this morning. The old code, after a number of extensions, is again due to expire Wednesday midnight.

Betty Balsly Weds

HOLLYWOOD, Nov. 20.—Announcement has been made of the marriage of Betty Jane Balsly, daughter of Lee D. Balsly, formerly with 20th Century-Fox in New York and now with the Allison Theatre Circuit of Western Pennsylvania, to Ted Chapin, an executive of Goodyear Tire Co. They will reside in Los Angeles after a honeymoon in Honolulu.

Unions Grant Studios Delay In Wage Fight

(Continued from page 1)

made today. They added: "We understand each other better now."

The studio unions last week issued an ultimatum to the effect that strike action would be taken unless the producers acceded to their demand for a higher wage scale by 2:30 p. m. today. As that hour neared, William Bioff, chairman of the A.F. of L. Studio union conference; J. W. Buzzell, executive secretary of the Los Angeles Central Labor Council, Walter Redmond, International representative of the Plasters Union and Lewis met with Schenck, E. J. Mannix, Y. Frank Freeman, M. B. Silberberg and Walter Wanger in Schenck's office.

Progress Is Claimed

Later newspaper men were called in and given the following statement:

"A committee of producers and a committee representing the unions met this afternoon and discussed problems affecting the labor situation in the studios. The committee representing the producers have asked for further postponement in order to consider the problems affecting the industry. Some progress has been made in this meeting, and a date for further negotiations has been set for Friday."

Ask "Breathing Spell"

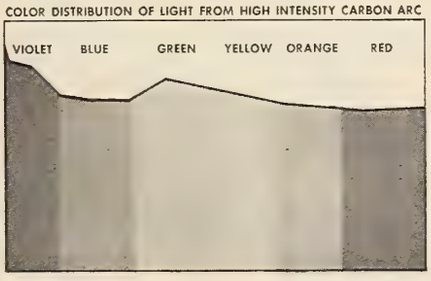
It was learned authoritatively that the producers, at one point in today's negotiations, boldly told the union negotiators to "go ahead and strike" if they were unwilling to grant the requested "breathing spell" for continued discussions. The decision to resume the conference Friday was made an hour later.

Chances of a walkout by studio crafts and projectionists faded quickly following today's session. Lewis declared that no new deadline on a strike call had been set. Both producers' representatives and union officials refused to provide any elaboration other than the official statement. However, both were optimistic over the prospects of reaching an agreement satisfactory to both.

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. . . and you can't show color features in natural hues with unbalanced light



● The audience sees on the motion picture screen only those colors that are present in the projection light. If certain colors are absent from the light, the dye on the film can't put them on the screen. Excess of certain colors likewise distorts the natural hues of color features. ● High intensity carbon arc projection assures an evenly balanced light with all colors present in essentially equal intensity. This is apparent from the chart of color distribution here shown. ● This is the quality of projection light for which color film is processed. It is the only quality of light that gives *natural* color reproduction.

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'Smith' Clicks With $10,800 For Montreal

MONTREAL, Nov. 20.—"Mr. Smith Goes to Washington" went to town at Loew's with $10,800. "Babes in Arms" captured $7,200 for its second week at the Capitol.

Estimated takings for the week ending Nov. 17:

"Babes in Arms" (M-G-M)
CAPITOL — (2,547) (25c-40c-55c-65c) 7 days, 2nd week. Gross: $7,200. Average, $7,500)
"Mr. Smith Goes to Washington" (Col.)
LOEW'S—(2,800) (30c-40c-60c) 7 days. Gross: $10,800. (Average, $8,000)
"The Real Glory" (U. A.)
ORPHEUM—(919) (25c-35c-50c) 7 days, 3rd week. Gross: $2,000. (Average, $5,000)
"Disputed Passage" (Para.)
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $7,800. (Average, $10,000).
"On Your Toes" (W. B.)
"Pride of the Bluegrass" (W. B.)
PRINCESS — (2,272) (25c-35c-50c-65c) 7 days. Gross: $4,000. (Average, $6,000)

Screen, Radio Used In Pittsburgh Drive

PITTSBURGH, Nov. 20.—The Community Fund is combining motion picture, radio and stage talent in the current campaign to raise $2,650,000.

Promotion began with the city's five radio stations hooking up for hour and a half show featuring talent of all studios. Dramas are shown twice weekly for fund workers. A film showing activities of the fund is being screened.

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Feature Reviews

"The Secret of Dr. Kildare"

(M-G-M)

HOLLYWOOD, Nov. 20.—This is the kind of picture that keeps the industry in the forefront of entertainment forms. It has recognition value to the customer in its players and in that it is the third of a series; it has a well defined story outline, and it has pace and action.

Lew Ayres, as young Dr. Kildare, prevents his friend and superior, portrayed by Lionel Barrymore, from over-taxing his strength by leaving him just as they are about to start a new and exhausting series of experiments and taking a case in which a wealthy girl's worries cause her blindness. These and such other matters as the elder Kildare's heart condition are disposed of successfully and in a manner calculated to keep the patrons coming back for more.

Based on the story by Max Brand, the screenplay by Willis Goldbeck and Harry Ruskin never falters, and gives full scope to the fine character delineations of Barrymore, Ayres, and such other members of the cast as Helen Gilbert, Lionel Atwill, Laraine Day and Alma Kruger.

Harold Bucquet's direction gets the most from every situation inherent in the simple, human theme, but never strains for effect.

Running time, 84 minutes. "G."* WALTER SELDEN

*"G" denotes general classification.

"Overland Mail"

(Monogram)

"Overland Mail" is a fast moving, well-directed western in the old tradition. Indians, counterfeiters, Government agents, stagecoaches, and the overland mail are its elements, and exciting elements, too.

Vince Barnett provides the touch of comedy, and Jean Joyce the romantic interest. Action film fans who find that music slows the pace will be delighted to learn that this is a western *sans* songs.

Jack Randall, as a mail rider, learns that the Indians are threatening a raid because a member of the tribe has been murdered. He obtains a three-day truce and promises to deliver the murderer within that time. Miss Joyce arrives in town seeking employment from Tristram Coffin, a foreign saloon operator. Other arrivals are Dennis Moore, a racketeer, and George Cleveland, a whiskey salesman.

Miss Joyce and Cleveland prove to be treasury agents and, with Randall's aid, they round up the counterfeiters and prove that Coffin murdered the Indian.

Running time, 51 minutes. "G."* EDWARD GREIF

*"G" denotes general classification.

'Smith' Is $13,600 Milwaukee Smash

MILWAUKEE, Nov. 20.—"Mr. Smith Goes to Washington" connected for $13,600 at Fox's Palace, while "Drums Along the Mohawk" and "Pack Up Your Troubles" hit $10,000 at the Wisconsin. Both were held over.

Estimated takings for the week ending Nov. 16-17:

"Mr. Smith Goes to Washington" (Col.)
PALACE—(2,400) (25c-35c-50c) 7 days. Gross: $13,600. (Average, $4,000)
"U-Boat 29" (Col.)
RIVERSIDE—(2,700) (25c-30c-35c) 7 days. Stage: Lottie Mayer's Watercade Revue. Gross: $7,000. (Average, $6,500)
"Babes in Arms" (M-G-M)
"Here I Am a Stranger" (20th-Fox)
STRAND—(1,400) (25c-35c-50c) 7 days. Gross: $2,000. (Average, $1,500)
"Drums Along the Mohawk" (20th-Fox)
"Pack Up Your Troubles" (20th-Fox)
WISCONSIN—(3,200) (25c-35c-50c) 7 days. Gross: $10,000. (Average, $5,500)
"Eternally Yours" (U. A.)
"On Your Toes" (W. B.)
WARNER—(2,400) (25c-35c-50c) 7 days. Gross: $4,800. (Average, $4,500)

Rudolf Knoepfle Ill

CINCINNATI, Nov. 20.—Rudolph Knoepfle, Republic salesman and president of the Cinema Club of Cincinnati, is ill at his home here, suffering from a heart condition. He recently was discharged from Miami Valley Hospital, at Dayton, O., where he was confined several months suffering from auto crash injuries.

'Mohawk' Scores $10,800 in Omaha

OMAHA, Nov. 20.—"Drums Along the Mohawk" grossed a smash $10,500 at the Orpheum.

Estimated takings for the week ending Nov. 15-16:

"Blondie Brings Up Baby" (Col.)
"Coast Guard" (Col.)
BRANDEIS—(1,200) (25c-35c-40c) 7 days. Gross: $4,000. (Average, $4,000)
"Babes in Arms" (M-G-M)
"Nancy Drew and Hidden Staircase" (W. B.)
OMAHA—(2,200) (25c-40c) 7 days, 2nd week. Gross: $5,700. (Average, $6,000)
"Drums Along the Mohawk" (20th-Fox)
"Two Bright Boys" (Univ.)
ORPHEUM—(3,000) (25c-40c) 7 days. Gross: $10,800. (Average, $7,600)
"$1,000 a Touchdown" (Para.)
PARAMOUNT—(3,000) (35c-55c) 7 days. Stage: Marcus Show. Gross: $11,500. (Average, $12,500)
"When Germany Surrendered" (Cap.)
"For Love or Money" (Univ.)
STATE—(1,000) (20c-25c-35c) 7 days. Gross: $2,100. (Average, $3,000)

Leichter Sets Eight Pictures for 1940-'41

HOLLYWOOD, Nov. 20.—Mitchell Leichter has set eight pictures for 1940-'41 release. The eight films, produced by John Boyce-Smith, are: "The Bond Boy," "The Kid from Montana," "The Cave Girl," "The Stain on the Tapestry," "Love Comes Late," "School Bus," "Drum-Majorette," "It Must Be Love."

'Real Glory' Hub Winner, Hits $30,000

BOSTON, Nov. 20.—"The Real Glory" and "Scandal Sheet" at Loew's State and Orpheum took a total of $30,000, $12,000 at the State and $18,000 at the Orpheum.

"Drums Along the Mohawk" and "Too Busy to Work" drew $17,5[illegible] at the Metropolitan and "First Love" and "Rio" $16,500 at the Keith Memorial.

Estimated takings for the week ending Nov. 15:

"Golden Boy" (Col.) (2nd run) (4 days with vaude.)
"The First World War" (20th-Fox reissue) (4 days with vaude.)
"This Man Is News" (Para.) (1st run) (3 days)
"Girl from Rio" (Mono.) (1st run) (3 days)
RKO KEITH BOSTON—(3,000 (25c-30c-35c-40c). Gross: $9,000. (Average, $8,000)
"First Love" (Univ.)
"Rio" (Univ.)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days. Gross: $16,500. (Average, $14,500)
"Torpedoed" (Film Alliance)
"Pack Up Your Troubles" (20th-Fox)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $8,500. (Average, $7,500)
"Torpedoed" (Film Alliance)
"Pack Up Your Troubles" (20th-Fox)
FENWAY—(1,382) (25c-35c-40c-55c) 7 days. Gross: $5,000. (Average, $4,500)
"Drums Along the Mohawk" (20th-Fox)
Too Busy to Work" 20th-Fox)
METROPOLITAN—(4,332) (25c-35c-40c-55c) 7 days. Gross: $17,500. (Average, $15,000)
"The Real Glory" (U. A.)
"Scandal Sheet" (Col.)
LOEW'S ORPHEUM — (2,900) (25c-35c-40c-55c) 7 days. Gross: $18,000. (Average, $15,000)
"The Real Glory" (U. A.)
"Scandal Sheet" (Col.)
LOEW'S STATE—(3,000) (25c-35c-44c-55c) 7 days. Gross: $12,000. (Average, $11,000)
"Hollywood Cavalcade" (3rd run) (20th-Fox)
"Sabotage" (1st run) (Rep.)
SCOLLAY — (2,500) (25c-35c-40c-50c) 7 days. Gross: $6,000. (Average, $4,000)

Kansas City Gives 'Drums' Big $11,000

KANSAS CITY, Nov. 20.—"Drums Along the Mohawk" took $11,000 at the Esquire and Uptown. Other bills were fair. The weather was warm. Downtown theatres are feeling the effects of the city's cleanup of night spots.

Estimated takings for the week ending Nov. 14-16:

"Drums Along the Mohawk" (20th-Fox)
ESQUIRE—(800) (25c-40c) 7 days. Gross: $5,000. (Average, $2,500)
"Eternally Yours" (U. A.)
"Fast and Furious" (M-G-M)
MIDLAND — (4,000) (25c-40c) 7 days. Gross: $10,000. (Average, $10,500)
"The Roaring Twenties" (W. B.)
NEWMAN—(1,900) (25c-40c) 7 days, 2nd week. Gross: $6,200. (Average, $7,000)
"Allegheny Uprising" (RKO)
"Full Confession" (RKO)
ORPHEUM — (1,500) (25c-40c) 7 days. Gross: $4,100. (Average, $5,000)
"Too Busy to Work" (20th-Fox)
TOWER—(2,200) (25c) 7 days. Stage: Harrison & Carroll, Wilde's Bulldogs, Audrey Barnett, Fats Potts, Alta Lee, Kay Hutton. Gross: $5,300. (Average, $5,000)
"Drums Along the Mohawk" (20th-Fox)
UPTOWN — (2,000) (25c-40c) 7 days. Gross: $6,000. (Average, $3,500)

Uses Stage Attractions

VANCOUVER, B. C., Nov. 20.—The Strand, Famous-Players house here, will shut down its projection room for five or six one and two-night stands during the current season. The first of the road shows to play was the American Ballet Caravan, which played two nights.

Ritz Brothers Frisco's Best With $21,000

SAN FRANCISCO, Nov. 20.—"Three Sons," with the Ritz Brothers on the stage, drew $21,000 at the Golden Gate. Also excellent, with $18,000 at the Fox, were "Drums Along the Mohawk" and "Too Busy to Work." "Mr. Smith Goes to Washington" pulled $12,200 in the third week at the Orpheum.

Estimated takings for the week ending Nov. 14-17:

"Three Sons" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c, 7 days. Stage: Ritz Brothers, vaudeville. Gross: $21,000. (Average, $15,000)
"Mr. Smith Goes to Washington" (Col.)
"Five Little Peppers and How They Grew" (Col.)
ORPHEUM—(2,440) (15c-35c-40c-55c) 7 days, 3rd week. Gross: $12,200. (Average, $8,000)
"Drums Along the Mohawk" (20th-Fox)
"Too Busy to Work" (20th-Fox)
FOX — (5,000) (15c-30c-35c-40c) 7 days. Gross: $18,000. (Average, $16,000)
"Remember" (M-G-M)
"Bad Little Angel" (M-G-M)
PARAMOUNT—(2,740) (15c-30c-35c-40c) 7 days. Gross: $10,000. (Average, $11,500)
"Eternally Yours" (20th-Fox)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days. Gross: $9,500. (Average, $8,000)
"The Roaring Twenties" (W. B.)
"No Place to Go" (W. B.)
ST. FRANCIS—(1,400) (15c-30c-35c-40) 7 days, 3rd week. Gross: $4,600. (Average, $6,000)
"Babes in Arms" (M-G-M)
"Television Spy" (Para.)
WARFIELD — (2,680) (15c-30c-35c-40c) 7 days, 4th deek. Gross: $8,500. (Average, $12,000)
"40 Girls and a Baby" (French)
CLAY—(400) (15c-35c-40c) 7 days. Gross: $650. (Average, $1,000)
"Lucrezia Borgia" (Gallic)
LARKIN—(390) (15c-35c-40c) 7 days, 4th week. Gross: $900. (Average, $1,000)

'Essex' Cincinnati Leader at $12,000

CINCINNATI, Nov. 20.—"The Private Lives of Elizabeth and Essex" drew $12,000 at the RKO Palace. The RKO Shubert pulled $20,000 with "Folies Bergere on the stage and "Too Busy to Work" on the screen.

Estimated takings for the week ending Nov. 15-18:

"Disputed Passage" (Para.)
RKO ALBEE—(3,000) (35c-42c) 7 days. Gross: $11,300. (Average, $12,000)
"The Private Lives of Elizabeth and Essex" (W. B.)
RKO PALACE—(2,700) (35c-42c) 7 days. Gross: $12,000. (Average, $10,000)
"Too Busy to Work" (20th-Fox)
RKO SHUBERT—(2,150) (40c-60c) 7 days. Stage: "Folies Bergere." Gross: $20,000. (Average, $10,000)
"Mr. Smith Goes to Washington" (Col.)
RKO CAPITOL—(2,000) (35c-42c) 7 days, 4th week. Gross: $4,500. (Average, $6,500)
"The Roaring Twenties" (W. B.
RKO LYRIC—(1,400) (25c-40c) 7 days. Gross: $4,500. (Average, $5,000)
"Nancy Drew and the Hidden Staircase" (W. B.)
"Desperate Trail" (Univ.)
RKO FAMILY—(1,000) (15c-25c) 4 days. Gross: $1,500. (Average, $1,500)
"Hero for a Day" (Univ.)
"Kongo, the Wild Stallion" (Col.)
RKO FAMILY—(1,000) (15c-25c) 3 days. Gross: $850. (Average, $900)
"On Your Toes" (W. B.)
KEITH'S—(1,500) (30c-40c) 7 days. Gross: $3,200. (Average, $5,000)

Close 'Torpedoed' Deals

Film Alliance of the U. S. has closed circuit deals on "Torpedoed!" with the Wilby-Kincey Circuit for North Carolina, Alabama, Tennessee and Georgia houses, and with the E. J. Sparks Circuit, for 74 houses in Florida.

Hollywood Review

"Legion of the Lawless"

(RKO)

HOLLYWOOD, Nov. 20.—This George O'Brien western is well above par for the star and the series, a well devised, orderly and plausible plot giving the hero plenty of honest reason for his heroics and the story following logical lines throughout. Virginia Vale, one of the Jesse Laskey "Gateway to Hollywood" Talent Search finds, turns in a nice performance which gives showmen an additional item for exploitation use. Herbert Heywood, Norman Willis and Hugh Sothern are other principals important in the story and contributing to the entertainment value of the film.

Produced by Bert Gilroy for production executive Lee Marcus and directed with sure and experienced hand by David Howard, the picture deals with that phase of western history which marked the passing of the vigilante variety of justice and the coming of law, order and the railroad. O'Brien is seen as a lawyer who brings formal justice to a western community by verbal, manual and trigger means. Doris Schroeder's screenplay, from a story by Berne Giler, is a workmanlike job in every particular.

Running time, 59 minutes. "G."* ROSCOE WILLIAMS.

**"G" denotes general classification.*

'Drums' at $8,700 Indianapolis' Best

INDIANAPOLIS, Nov. 20.—"Drums Along the Mohawk" at the Indiana and "Mr. Smith Goes to Washington" at Loew's took the blue ribbons here, with $8,700 for the former and $9,800 for the latter.

Estimated takings for the week ending Nov. 16-17:

"Private Lives of Elizabeth and Essex" (W. B.)
"Pride of the Bluegrass" (W. B.)
APOLLO—(1,100) (25c-40c) (7 days) 2nd week. Gross: $1,600. (Average, $2,500)
"Jamaica Inn" (Para.)
"Little Accident" (Univ.)
CIRCLE—(2,800) (25c-40c) 7 days. Gross: $4,800. (Average, $6,000)
"Drums Along the Mohawk" (20th-Fox)
"Too Busy to Work" (20th-Fox)
INDIANA—(3,200) (25c-40c) 7 days. Gross: $8,700. (Average, $5,000)
"Mr. Smith Goes to Washington" (M-G-M)
"The Man They Could Not Hang" (Col.)
LOEW'S—(2,800) (25c-40c) 7 days. Gross: $9,800. (Average, $7,000)
"Pack Up Your Troubles" (20th-Fox)
LYRIC—(2,000) (25c-40c) 7 days. Stage: vaudeville. Gross: $8,600. (Average, $8,000)

'Mohawk' at $14,000 Leader in St. Louis

ST. LOUIS, Nov. 20.—"Drums Along the Mohawk" scored $14,000 at the Ambassador. The Fox, with Cab Calloway on the stage, and the "Cat and Canary" on the screen, led the city with an estimated $14,500.

Estimated grosses for the week ending Nov. 16:

"At the Circus" (M-G-M)
LOEW'S STATE—(3,162) (25c-40c-55c) 7 days. Gross: $14,000. (Average, $13,000)
"The Cat and the Canary" (Para.)
FOX—(5,038) (25c-40c-55c) 7 days. Stage: Cab Calloway. Gross: $14,500. (Average, $11,000)
"Drums Along the Mohawk" (20th-Fox)
AMBASSADOR—(3,018) (25c-40c-55c) 7 days. Gross: $14,000. (Average, $11,500)
"Honeymoon in Bali" (Para.)
"Mr. Smith Goes to Washington" (Col.)
MISSOURI—(3,514) (25c-40c-55c) 7 days. Gross: $5,000. (Average, $4,000)

Shouse Speaks Today

CINCINNATI, Nov. 20.—James D. Shouse, vice-president and general manager of the Crosley Corp., in charge of broadcasting, will address a meeting of 500 radio dealers and sales people at the Hotel Gibson tomorrow. He will speak on "What Radio Means to the Public Today From a Broadcaster's Point of View."

Illinois Town May Name Film Censor

ST CHARLES, Ill., Nov. 20.—The City Council here has drafted an ordinance providing a film censor for the town. Three censors are to be appointed by the mayor for a one-year term, and are subject to removal.

Duties will be to review and examine all films to be shown in St. Charles, to see that their showing would be for best interest of viewers.

'Drums' Pulls Big $24,000, Tops Detroit

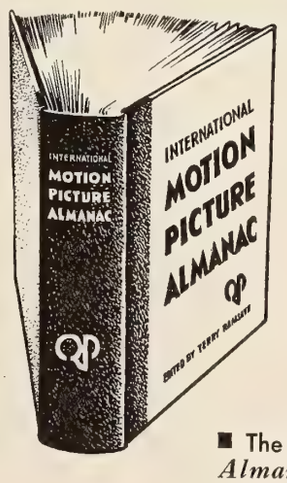
DETROIT, Nov. 20.—"Drums Along the Mohawk" scored $24,000 at the Fox as patronage showed an upward trend despite the Chrysler strike affecting $150,000 workers.

Estimated takings for the week ending Nov. 16:

"Mr. Smith Goes to Washington" (Col.)
"Miracle on Main Street" (Col.)
ADAMS—(1,700) (15c-40c) 7 days. Gross: $5,000. (Average, $5,000)
"Golden Boy" (Col.)
"Lady of the Tropics" (M-G-M)
FISHER—(2,000) (15c-40c) 7 days. Gross: $4,300. (Average, $4,500)
"Drums Along the Mohawk" (20th-Fox)
"Pack Up Your Troubles" (20th-Fox)
FOX—(5,000) (25c-55c) 7 days. Gross: $24,000. (Average, $12,000)
"The Roaring Twenties" (W. B.)
'Our Neighbors the Carters" (Para.)
MICHIGAN—(4,000) (15c-60c) 7 days. Gross: $10,000. (Average, $10,000)
"Jamaica Inn" (Para.)
"At the Circus" (M-G-M)
PALMS—(3,000) (15c-50c) 7 days. Gross: $4,800. (Average, $5,000)
"Remember" (M-G-M)
UNITED ARTISTS—(2,100) (15c-55c) 7 days. Gross: $9,800. (Average, $10,000)

Sears on Tour Today

Gradwell L. Sears, Warner's general sales manager, leaves today on a visit to the company's southern branches for conferences with the sales personnel. He will stop at Atlanta, New Orleans, Dallas, Memphis, St. Louis, Cincinnati and Cleveland, and is expected back in two weeks.



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Edited by
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Musicians Ask For More Film Industry Jobs

(Continued from page 1)

tion for receiving demands for increased employment of live musicians and stated that at an early date it was the intention of your Federation to see to it that the motion picture industry made a material contribution toward the re-employment of your members. Many of our affiliates now ask what has been done by you in this direction."

The reply stated that radio increased employment among musicians by popularizing name bands, and that stations would be willing to drop remote pickups of such bands if they could pay musicians only for services actually rendered. Stations could not accept the demands for increased expenditures, it was said.

Other highlights of the reply were that the talent supplied by the locals is inferior and that the musicians which are supplied are frequently not unemployed, but merely part-time musicians; that music by studio bands is not of sufficiently high quality to attract local commercial sponsorship; and that frequently stations pay for musicians whom they do not use.

Any new plan presented should be for at least five years, the reply continued. Federation rules should not be altered during the term of the agreement; there should be a provision for arbitration; obstacles to commercial resale of staff orchestras should be eliminated; greater flexibility in rules should be provided; and the supply of recordings should not be impeded.

Although representing approximately 300 stations, I.R.N.A. has only 79 dues-paying members.

Lead Overseas Drive

War-stricken areas made the best divisional showings in the 20th Century-Fox overseas drive last week. Great Britain paced the foreign forces on divisional revenue delivery. Japan has maintained first place in delivery during the first nine weeks of the drive. Fourteen countries went over quota last week, Peru leading in this respect.

Gets Portland Promotion

Herschel Fox has been promoted as head booker of the 20th Century-Fox exchange in Portland. He formerly for many years headed ad sales at the branch. Joseph Walter succeeds him in that capacity. Howard Smith, booker in Philadelphia, has been promoted to salesman, succeeding John Skillman, resigned.

Thanksgiving in 24 States on Thursday

Distributors anticipates extra revenue from the dual observance of Thanksgiving Day. Twenty-four states will observe the holiday on Thursday, while the other 24 will celebrate it on the traditional Nov. 30. Exhibitors in many localities will feature holiday shows both days.

Cashier's Woes

Classifies Five Types of Theatre Patrons

CINCINNATI Nov. 20.—Interviewed by a writer from the Cincinnati *Post*, Mary Jenkins, veteran cashier at the RKO Lyric, classified the different types of theatre patrons. They are:

Jitterjacks: Fans who are nervous before the show. They want good seats and never enter if the theatre is crowded.

Fumblers: Fans who drop their tickets, look at the posters and ask what picture is being shown. They wonder why there has to be a waiting line.

Wisecrackers: When you quote them a price, they always answer that they wanted to buy a ticket and not the whole theatre.

Daters: They ask how you've managed to stay single so long. Sometimes bring gifts of candy.

Andy-on-the-Spot: He has the exact change ready, and walks away without bandying words.

"I like the fans in the last classification best," declared Miss Jenkins. "I appreciate the way they go about buying a ticket. They certainly make my life a lot easier."

Two Thanksgivings Aid Omaha Houses

OMAHA, Nov. 20.—Nebraska exhibitors expect extra business out of the Thanksgiving Day controversy, since the state attorney-general has ruled that the state must observe two legal holidays. Governor Cochran says there will be "only one holiday, Nov. 30."

The ruling probably will mean that banks, grain exchanges and brokerage houses will be closed both days. Also it will mean that all Federal agencies, post office employes and WPA will observe Nov. 23. Holiday prices at the theatres will be in effect only on Nov. 30.

Providence Prices Up This Thursday

PROVIDENCE, Nov. 20.—Managers of first run houses here agreed today to charge holiday prices this Thursday, even though Rhode Island is not celebrating Thanksgiving Day until Nov. 30. Banks and schools will close this Thursday.

Start Wisconsin Attack on Games

MILWAUKEE, Nov. 20.—The enforcement authorities in various communities have embarked upon anti-gambling campaigns. At Oshkosh, District Attorney Lewis C. Magnusen has informed the Oshkosh Theatre that "Ten-O-Win" is gambling under the state statutes and must be discontinued.

Magnusen has also requested the cooperation of the chiefs of police of Oshkosh, Neenah, Menasha and the county sheriff in keeping the county free from all types of gambling.

Standard Picks Van Leer

Standard Pictures Distributing Co. has appointed Arnold Van Leer Associates as advertising, publicity and exploitation representatives.

Exchanges Closed By Grand National

BOSTON, Nov. 20.—Grand National's Albany and New Haven exchanges are closed this week as a result of the company's office consolidation move which has eliminated 10 of the smaller city branches to date.

The consolidations are being undertaken to reduce company expenditures pending the outcome of Grand National's financial reorganization.

Henceforth, Boston will serve the New Haven territory and the Albany accounts will be handled by the Buffalo office. Arrangements were made following a visit here by Sol Edwards of the Grand National home office and a conference in Albany with Paul Richrath, branch manager.

Chance Games Win Approval in Buffalo

Buffalo authorities are permitting exhibitors to run chance games without interference, despite threats by police officials recently that the practice would result in suspension of theatre license.

Allied Theatre Owners of New York interceded for the exhibitors, pointing out that bingo games in which large prizes were awarded were permitted in Buffalo.

The organization, through Max A. Cohen, president, has protested to distributors against supplying film to two theatres which are operated primarily for bingo games. An admission charge of 90 cents or $1 is made and old film is run. The patrons obviously care nothing for the show but are attracted by the lure of large prizes.

Exhibitors, however, are not pressing this issue now that the authorities have assured Allied that there will be no interference with games when operated under the law.

Ten New Pictures Approved by Legion

Ten new pictures, reviewed and classified by the National Legion of Decency for the current week, all were approved, five for general patronage and five for adults. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Covered Trailer," "Geronimo," "Overland Mail," "Riders of Pasco Basin," "Too Busy to Work." Class A-2, Unobjectionable for Adults—"All Women Have Secrets," "Another Thin Man," "Diamonds Are Dangerous," "The Phantom Strikes," "That They May Live."

Author Settles NBC Suit

Stipulation settling the suit of Manuel Komroff, author, against NBC and the Glass Container Association of America was filed yesterday in U. S. District Court. Komroff charged the defendants with plagiarizing his book, "The Travels of Marco Polo," in a broadcast of the dramatic sketch, "There Was a Woman." The suit had sought $25,000 damages.

Win Republic Prizes

Tony Ricci of Republic's New York exchange won first prize for $25 and Dave Black placed second in the second week of the company's playdate drive in this territory.

Exploitation

British Empire Night Aids "Essex" in Frisco

SAN FRANCISCO, Nov. 20.—At the Fox Theatre, the management staged a British Empire Night to which were invited members of all the British-American societies in the city. P. D. Butler, British consul-general, was the honored guest.

Turkey Day Exploitation For Holiday Eve Show

SAN FRANCISCO, Nov. 30.—A "Turkey Day" exploitation campaign is being used for the United Artists' special Thanksgiving Eve midnight jamboree, with "The Housekeeper's Daughter" as the film attraction.

Caliope Ballyhoos 'Circus' in St. Louis

ST. LOUIS, Nov. 20.—A steam caliope was used by James Harris, press agent, and his assistant, Wally Heim, in selling "The Marx Brothers at the Circus" at Loew's State. The horse-drawn vehicle traveled the city, and Harold Evans, manager, used three young natives, made up as the Marx Brothers, riding in an old car and indulging in "Marxian" antics.

Symphony Society Plugs "Music" in Vancouver

VANCOUVER, B. C., Nov. 20.—More than 500 members of the Vancouver Junior Symphony Society attended a special matinee of "They Shall Have Music" at the Plaza here, sponsored by Chris Spencer, local retailer.

U. S. Supplies 70% Of Uruguay Films

WASHINGTON, Nov. 20.—Approximately 70 per cent. of all features shown in Uruguay are American, according to a report to the U. S. Department of Commerce from Vice-Consul H. C. Adam, Jr., in Montevideo.

The few French films, and Argentine pictures are popular with patrons in Uruguay, Adam reported. There are 81 theatres in Montevideo with a total seating capacity of 47,000. In the rest of the country there are about 100 houses, seating approximately 25,000. During the first nine months of 1939, the total gross of Montevideo houses was about $1,050,000, a 10 per cent increase over the same period in 1938.

Warners Reissue Wayne Westerns

Warners are reissuing six westerns, starring John Wayne, in this country and Canada. They were originally produced by Leon Schlesinger. The films, which will be released starting Dec. 24, are: "Telegraph Trail," "Somewhere in Sonora," "The Big Stampede," "The Man from Monterey," "Ride Him Cowboy" and "Haunted Gold."

Moray Returning East

HOLLYWOOD, Nov. 20.—Norman H. Moray, Vitaphone sales manager, left for his return East following a series of conferences with Bryan Foy and Gordon Hollingshead on the 1940-'41 short subjects program. Moray will return to Hollywood March 1 for further parleys.

33 Features Now in Work Are Tabulated

HOLLYWOOD, Nov. 20.—Thirty-three features are before the cameras this week. Nine were finished last week and five were started. Twenty-one are being prepared and 85 are being edited.

A listing of the features started, currently in work and just finished, follows by companies:

COLUMBIA—Finished: None.
In Work: **"His Girl Friday,"** untitled Starrett western.
Started: "The Lone Wolf Strikes."
M-G-M—Finished: "The Earl of Chicago."
In Work: "Broadway Melody of 1940," "Strange Cargo," "The Shop Around the Corner," "Congo Maisie," "New Moon," "Florian," "Young Tom Edison."
Started: "Arouse and Beware."
PARAMOUNT—Finished: None.
In Work: "The Road to Singapore," "The Biscuit Eater," "Buck Benny Rides Again," "Safari," "At Good Old Siwash."
Started: "The Man from Bar 20."
PRODUCERS PICTURES—Finished: None.
In Work: None.
Started: "Mercy Plane."
REPUBLIC—Finished: "Money to Burn," "The Narrow Path," "South of the Border," "Days of Jesse James."
In Work: None.
Started: None.
RKO—Finished: None.
In Work: "Vigil in the Night," "Swiss Family Robinson," "The Marines Fly High," "The Saint's Double Trouble," "The Primrose Path."
Started: None.
20TH-FOX — Finished: "Little Old New York," "The Grapes of Wrath."
In Work: "Young as You Feel."
Started: None.
UNITED ARTISTS—Finished: None.
In Work: "1,000,000 B.C." and "Two's Company" (Hal Roach), "The House Across the Bay" (Wanegr), "The Dictator" (Chaplin).
Started: "My Son, My Son!" (Small)
UNIVERSAL — Finished: "The Invisible Man Returns."
In Work: "Charlie McCarthy, Detective," "Little Chickadee," "Honeymoon Deferred."
Started: None.
WARNERS—Finished: None.
In Work: "Virginia City," "Dr. Ehrlich."
Started: "We Shall Meet Again."

Columbia and M-G-M each started a short subject. Columbia finished one, and nine are being prepared. Eleven are being edited.

Tavern Unit Backs Case Against Ascap

SHEBOYGAN, Wis., Nov. 20.—A unit of the Tavern Music Protective Association of Wisconsin has been organized here to lend its support to conduct a test case against Ascap, which is charged with operating in the state without a license.

The *Sheboygan Press,* local daily, in an editorial, called upon Secretary of State Fred R. Zimmerman to demand that Ascap adhere to the state statutes requiring a license or cease its activities in Wisconsin. Tavernkeepers, hotels and musicians are backing the movement.

Disney Loses Ruling

The Appellate Division of the Supreme Court has upheld an order of Justice Carew which had denied an application of Walt Disney Productions, Ltd., and R.C.A. Manufacturing Co. to bar Adriana Caselotti from presenting her $200,000 damage suit on trial against applicants. Plaintiff, who sang the part of Snow White in "Snow White and the Seven Dwarfs," is suing for alleged recording of her voice without her consent.

Hollywood Reviews

"The Amazing Mr. Williams"

(Columbia)

HOLLYWOOD, Nov. 20.—"The Amazing Mr. Williams" is a slick and successful sleuth lightly but realistically played by Melvyn Douglas. As lightly and no less realistically played by Joan Blondell is the girl he intends to marry but can't find time for between murders. These two, ably assisted by Clarence Kolb, Ruth Donnelly, Edward S. Brophy and other reliables, pack a peak load of humorous entertainment into 80 screen minutes.

Sy Bartlett's story, put into screenplay form by himself, Dwight Taylor and Richard Maibaum, is unique in many respects. It treats of policemen as policemen and also as people, of crime as a thing that goes on and requires attending to, of detection as a profession and romance as romance, all seriously enough and yet altogether amusingly. Dialogue is of the sort that the people who pronounce the words would be using under the given circumstances, and what happens, with few and minor exceptions, are the things that probably would happen. It's a nicely rounded job of motion picture composition.

The time is now and the place could be any big city, although street names suggest Los Angeles. It's an Everett Riskin production directed by Alexander Hall and contains merit enough to entitle all hands to a congratulatory slap on the back.

Running time, 80 minutes. "G."* ROSCOE WMS.

"The Honeymoon's Over"

(Universal)

HOLLYWOOD, Nov. 20.—A comedy of domesticity, "The Honeymoon's Over" has its appeal based primarily on the supposed familiarity of members of the audiences with persons in their communities who resemble the characters. Stuart Erwin and Marjorie Weaver enact the roles of a newly married couple whose extravagances with newly found "friends" lead them to the verge of ruin. The screenplay, written by Hamilton MacFadden, Clay Adams and Leonard Hoffman, who adapted a play by William Anthony McGuire, is reminiscent.

Patric Knowles, Russell Nicks, Jack Carson, Hobart Cavanaugh, June Gale and E. E. Clive are included in the cast.

Eugene Forde directed the simple story of the troubles of the couple who join a country club, buy an expensive automobile and live beyond their means. The husband steals money from his advertising agency but the wife, working in a department store to help repay the sum, stumbles upon the inventor of a weight-reducing bath salts. A deal restores them to good graces and again they are on their way to wealth.

Sol M. Wurtzel was executive producer.

Running time, 69 minutes. "G."* VANCE KING.

**"G" denotes general classification.*

Film Budget Reduced By British Columbia

VICTORIA, B. C., Nov. 20.—The provincial government has included $12,000 in the 1940 budget for motion pictures. Last year $20,000 was set aside for use of the government's tourist and trade development bureau for motion pictures, but most of this fund was used to finance the province's exhibit at the San Francisco World's Fair.

It had been planned to produce a scenic travelogue in colors for distribution through theatres of the United States and eastern Canada, showing British Columbia's tourist attractions.

Gross Joins Republic

HOLLYWOOD, Nov. 20.—Edward Gross, former associate producer for Sol Lesser and David Loew, has joined Republic in a similar capacity. No assignment has been given him yet.

Holman to Capra-Riskin

HOLLYWOOD, Nov. 20.—William S. Holman, Columbia studio manager who resigned recently, will join the Frank Capra-Robert Riskin producing unit as general manager.

Pennsylvania Group Protests Billboards

PITTSBURGH, Nov. 20.—The drive against billboard advertising is being renewed by the Pennsylvania Roadside Council, whose executive committee includes a vice-president of Gulf Refining Co., one of outdoor advertising's bigger customers.

Charging that billboards "will destroy tourist trade" by spoiling scenic beauty, and depreciate real estate values, Mrs. Cyril G. Fox of Media, Pa., council chairman, said, "we favor products not advertised on the landscape." Billboards should be relocated within the commercial, corporate limits of towns, not eliminated entirely, the committee stated. All downtown theatres use billboards.

Ledger Takes Star-Eagle

The *Newark Ledger,* published by S. I. Newhouse, has bought the name, circulation and goodwill of the Newark *Star-Eagle,* published by Paul Block. The latter paper ceased publication on Saturday, and the *Ledger* will be known as the *Star-Ledger.* An article in yesterday's MOTION PICTURE DAILY, indicating that the *Star-Eagle* had taken over the *Ledger,* was in error.

Miss Carroll Gets Two Big Screen Roles

HOLLYWOOD, Nov. 20.—MADELEINE CARROLL has a busy time ahead of her. Cast by EDWARD SMALL for the role of "Livia" in "My Son, My Son!" she will also do the feminine lead in "Northwest Mounted Police," CECIL B. DEMILLE's next picture for Paramount . . . DENNIS MOORE, who made a hit in Monogram's "Mutiny in the Big House," has been signed for the lead of M-G-M's "Counterfeit," short subject . . . M-G-M has taken "Countess Maritza," the operetta, off the shelf for early production . . . RUTH GORDON will play "Queen Victoria" in "Disraeli" at Warners.

Stephens-Lang Productions, making the "Dr. Christian" pictures for RKO, has effected a tieup with the McCann-Erickson agency, producers of the radio program, to exploit the films. DOROTHY BARSTOW, radio head of the agency, will work with writers RING LARDNER, JR., and IAN HUNTER on the script for the second of the series, "The Courageous Dr. Christian" . . . Traffic in stolen airplanes for shipment to Europe is the background of "Mercy Plane," Producers Pictures Corp. next melodrama, now in production. JAMES DUNN and his wife, FRANCES GIFFORD, play the leads.

WALTER WANGER is lining up his next two productions for United Artists release—"So Gallantly Gleaming," story of Gen. John C. Fremont and his wife, being written by SONYA LEVIEN, and "Dynasty of Death," written by SHERIDAN GIBNEY.

GLADYS GEORGE and MURIEL ANGELUS get the top roles in Paramount's remake of "The Way of All Flesh." AKIM TAMIROFF and WILLIAM HENRY already have been set. Others newly cast are BERTON CHURCHILL, JEAN CAGNEY, BETTY MORAN, ROGER IMHOF, JAMES BURKE, STANLEY PRICE, DOUGLAS KENNEDY, JAMES WEST, JEAN NELSON and JUNE HEDIN . . . JACK CONWAY has been set to direct M-G-M's "Boom Town," which will star CLARK GABLE. The story is from "A Lady Comes to Burk-Bennett," by JAMES EDWARD GRANT . . . KURT NEUMANN will direct Paramount's "Golden Gloves."

DOLORES DEL RIO returns to the screen in "Arouse and Beware," in which M-G-M will star her with WALLACE BEERY and JOHN HOWARD.

Fifty members of the M-G-M company working on "Florian" leave this week for producer WINFIELD SHEEHAN's ranch in Hidden Valley for outdoor shots, using the famous Lippizan horses.

Chicago Colony Sold

CHICAGO, Nov. 20.—The Colony Theatre and business building have been sold by the Metropolitan Trust Co., to the Colony Building Corp. Mort D. Goldberg, who represents the new owners, said $170,000 in cash was paid for the 1,700-seat theatre and building, which has nine stores, four offices and 12 apartments.

Theatre, Personnel Notes

Building Active in Missouri

ST. LOUIS, Nov. 20.—Charles R. Rudolph, owner of the Colonial at Troy, Mo., is planning another theatre in the same town, and Walter J. Buchholtz at New Haven, Mo., has similar plans. A. B. Jeffries, owner of the New Piedmont at Piedmont, Mo., has constructed another house in the town, and a new theatre is planned for Roxana, Ill., by Albert Crichlow.

Levin Joins Goldberg

SAN FRANCISCO, Nov. 20.—D. B. Levin, a veteran in the picture business here, has joined the Aaron Goldberg circuit to handle remodelling of the Circle, which is being done over to show newsreel films exclusively. It will be the city's second newsreel house, the first—the Telenews—having opened three months ago.

Open House in Iowa

STORM LAKE, Iowa, Nov. 20.—The new Lake Theatre here has been opened, with Frank Schoonover as manager. Admission prices are: Adults, 36 cents; high school children, 21 cents, and children 10 cents. The theatre is to be open daily with matinees on Saturdays, Sundays and holidays.

RCA Equipment Installed

RCA Photophone sound equipment is to be installed in the following theatres: Columbia, Woodlawn and Franklin in Evansville, Ind.; Lincoln, Winston-Salem, N. C.; Apollo, Belvidere, Ill.; Paradise, Brooklyn; Franklin, Allentown, and Star, Middleport, N. Y.

Catley Oakland Manager

OAKLAND, Cal., Nov. 20.—Robert E. Catley, former manager of the Fox California in Berkeley, has been appointed manager of the Orpheum here. Clinton Eberley, formerly at the Senator in Vallejo, has been named Catley's assistant.

Shows Films in Clinton Heights

ALBANY, Nov. 20.—Roger Marmon, who operates the Bright Star, Rensselaer and Delmar, Delmar, N. Y., has taken over Fireman's Hall, Clinton Heights, and will install sound equipment there.

Watervliet House to Reopen

WATERVLIET, N. Y., Nov. 20.—Empire Theatre here, dark for the past two years, will be reopened Dec. 1 by a local group. New sound equipment will be purchased.

Take Roxy at Alta, Iowa

ALTA, Iowa, Nov. 20.—L. W. Riddell and Ralph Finch have taken over the Roxy here, owned by the city. The house was reopened after remodeling.

Named Chief Usher

SAN ANTONIO, Nov. 20.—Assistant Chief Usher William Eubanks is now chief usher at the Majestic here.

Hollywood Review

"Tower of London"

(Universal)

HOLLYWOOD, Nov. 20.—Rowland V. Lee, who produced and directed "Son of Frankenstein," and who handled the same double responsibility here, has created a picture skirting the border line between sheer horror and historical pageantry. The original screenplay by Robert N. Lee presents, for the first time on the screen, the bloody period between 1471 and 1485, when Richard, Duke of Gloucester, stopped at nothing to make himself King of England.

As the hunchback Richard, Basil Rathbone turns in a superb performance, aided by Ian Hunter as King Edward IV, Barbara O'Neil as Queen Elizabeth, Boris Karloff as Mord, the club-footed royal executioner, Vincent Price as the weak Duke of Clarence, and Nan Grey and John Sutton as a pair of young lovers faithful to the Queen.

While the detail of the film is well handled, as in the rendition of the historic battles at Tewkesbury and Bosworth, it is not of the greatest aid in the smooth progression of the story, tending to slow the pace of a period consisting, perhaps, of too many highlights, too rich in historical incident, for both plot and characterization to be developed to the full.

George Robinson's photography does full justice to the trappings and tortures of the time.

Running time, 92 minutes. "G."* WALTER SELDEN

**"G" denotes general classification.*

Hits Garnish B'way Stage for Holidays

Broadway is entering upon the holiday period with one of the greatest arrays of stage hits in its history. Among the leaders are such plays as the one which Howard Lindsay and Russel Crouse made up out of Clarence Day's "Life With Father;" the George Kaufman-Moss Hart travesty on Alexander Woolcott, "The Man Who Came to Dinner" and the musical offered by George Abbott, Richard Rodgers and Larry Hart, "Too Many Girls."

Others in the hit class include "Margin for Error," an anti-Nazi play by Clare Boothe; "Skylark," with Gertrude Lawrence, and "Ladies and Gentlemen," with Helen Hayes.

William Saroyan's "The Time of Your Life," with Eddie Dowling," and "See My Lawyer," with Milton Berle, are also doing good business.

There are other adornments on Broadway, not too new but not too old and drawing heavy trade. These are "The Little Foxes," with Tallulah Bankhead; "Philadelphia Story," with Katharine Hepburn. Among the musicals there are George White's "Scandals;" "Streets of Paris," and "The Strawhat Revue."

Four Stations Ask Power Increases

WASHINGTON, Nov. 20.—Extension of time from specified hours to unlimited and increase of power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day, has been asked of the Federal Communications Commission by WBAA, West Lafayette, Ind., together with authority to move its transmitter to near Randolph, Ind.

The commission also received requests for increases of power from 100 to 250 watts from WFMJ, Youngstown, Ohio; KRBM, Bozeman, Mont., and KHBG, Okmulgee, Okla., the last also asking for extension of time from day to unlimited.

Plays Get Record Pittsburgh Grosses

PITTSBURGH, Nov. 20.—The Nixon here, for the first six weeks of its stage play season, has recorded the greatest gross for the period in its history.

Top grosses to date have been "Leave It to Me," with $29,000, followed by Helen Hayes in "Ladies and Gentlemen" with $25,000. Other good grossers were: Edward Everett Horton in "Springtime for Henry," $16,000; Maurice Evans in "Hamlet," $15,200; Gertrude Lawrence in "Skylark," as a pre-Broadway premiere, $14,000; Ethel Barrymore in "Farm of Three Echoes," also a pre-New York opening, $9,500 and "The White Steed," $8,000. "Outward Bound" is playing currently.

Scheduled for the next two months are Raymond Massey in "Abe Lincoln in Illinois," Ruth Chatterton in "Tonight We Dance," Ethel Waters in "Mamba's Daughters," and Katherine Cornell in "No Time for Comedy." Set for the week of Jan. 15 is the new Shubert-Selwyn musical, "Three After Three," starring Simone Simon and featuring Frances Williams, Mary Brian, Mitzi Green, Arthur Jarrett, and Stepin Fetchit. The book is by Guy Bolton, music by Hoagy Carmichael and lyrics by Johnny Mercer. Pencilled in for future dates are John Barrymore in "My Dear Children," Katherine Hepburn in "The Philadelphia Story" and "Kiss the Boys Goodbye."

KDKA Has Biggest October in History

PITTSBURGH, Nov. 20.—KDKA announced October was an all-time high month in gross billings since the station's opening 19 years ago up 18 per cent over the same month last year. Manager Sherman Gregory said that new business for the month was 63 per cent over October last year, while contracts for future programs totaled $102,469, an increase of $63,487 over the previous year. Gross for the first 10 months of 1939 was up 33 per cent over last year.

Notes on Radio Personalities And Programs

ARTIE SHAW, the bandleader, was reported yesterday to be planning to disband his orchestra. Rockwell-O'Keefe, his agency, declared that an official statement on the subject would be made today. Shaw plans to spend some time traveling, according to the report.

WROK, Rockford, joins Mutual on Dec. 1, as the 123rd affiliated station. WROK operates on 1,410 k.c. with 1,000 watts, day, and 500 watts, night. The station is owned by Rockford Broadcasters Corp. and is affiliated with the *Morning Star* and the *Register-Republic*.

Ruby Cowan, formerly with the NBC Artists Service and more recently with Paramount, returns to the Artists Service on Dec. 1. Cowan will be in charge of film, vaudeville and television bookings. Also effective Dec. 1, A. Frank Jones assumes the post of assistant to George Engles, vice-president in charge of the Artists Service, and Alexander Haas becomes manager of the Artists Service in San Francisco.

Recently granted a power increase to 5,000 watts full time, KFRC, San Francisco, is making field tests to determine whether interference will necessitate moving the transmitter from its downtown location to the city outskirts.

Expenditures alleged to be excessive are being examined by the City Council, St. Petersburg, Fla., in connection with an investigation of the city-owned station, WSUN.

Western Electric will inaugurate a new department, the Specialty Products Division, this month, for sale of broadcasting equipment, sound systems, hearing aids, aviation, marine and police radio. The new division will be located at Kearny, N. J., and will be headed by F. R. Lack, as manager.

Jerome B. Harrison joined the WABC sales staff yesterday. He was formerly advertising manager of the New York edition of *Parents' Magazine*.

Phil Cook launches his annual appeal for 25,000 books for shut-ins Monday on his "Morning Almanac" over WABC. Hugh Aspinwall, the "Chick Martin" of the Ralston Purina program, has joined KMOX, St. Louis, as a feature announcer.

Julius J. and Philip G. Epstein, Warner Bros. script-team, will be interviewed by Martin Starr, over WMCA at 12:35 P. M. today. They will discuss the plot of their current film, "Four Wives."

NBC Short Wave Post Given Yandell

In an effort to extend commercial sponsorship of NBC short wave programs beamed to Latin America and Europe, the network has drafted L. P. Yandell, R. C. A. executive, it was disclosed yesterday by Niles Trammell, NBC executive vice-president. Yandell will be temporarily assigned to NBC and will be in charge of all commercial activities of the short wave stations.

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 101 NEW YORK, U. S. A., WEDNESDAY, NOVEMBER 22, 1939 TEN CENTS

Ticket Prices In U. S. Keep Level Trend

Survey Bares Very Few Admission Changes

Admission scales around the country are remaining on an even keel, although business is generally spotty, an inquiry by MOTION PICTURE DAILY reveals. In one or two key centers there has been a lowering of box-office prices, such as in St. Louis and in Milwaukee, but these spots are exceptions and not the rule. The lowering of scales in such cities has been caused by competition, not business conditions.

In the past four or five years, the overall average admission at film theatres has risen from approximately 22 cents to about 23 cents. There has been no trend above or below this figure, the survey shows. Adjustments have been made in some cases prin-

(*Continued on page 6*)

Nazis Ban 189 Films In Czech Territory

By HARRY KNOPF

PRAGUE, Nov. 2 (*By Mail*).—A total of 189 pictures were banned in this German Protectorate of Bohemia-Moravia, formerly Czechoslovakia, between Aug. 22 and Oct. 4. With the Nazis in complete control of all film activity, the censors are especially active.

The subject matter of the films and the fact that one or more important players or the director are non-Aryan are among the chief reasons for the banning of most of the films. Only American neutrality is said to have saved that country's product from a complete ban, whereas French and English product has been particularly hard hit.

The most successful recent Ameri-

(*Continued on page 3*)

400 to Attend Loew's Frolic Tomorrow

Complete mystery surrounds the arrangements for the Loew's Theatre beefsteak dinner-dance Thursday night in the Starlight Roof of the Waldorf-Astoria Hotel.

It is known that the district managers, managers and assistant managers, with their ladies, will be the guests of the Loew's New York thea-

(*Continued on page 3*)

Admission Taxes Set Record for 3rd Consecutive Month

WASHINGTON, Nov. 21.—Running ahead of 1938 for the third consecutive month, admission tax collections in October totaled $1,727,931, compared with $1,596,367 for the corresponding period last year, it was reported today by the Internal Revenue Bureau.

As compared with the preceding month, however, collections showed a greater decline than was recorded a year ago, falling nearly $125,000 from the year's high of $1,852,256 reached in September. The loss last year was less than $72,500.

For the ten months ended with October, the Bureau reported collections aggregating $15,784,133, compared with $15,655,832 in the same period in 1938.

A gain of $318,835 during the first four months of the Government's fiscal year, when collections were $6,627,905 against $6,309,070 a year ago, the figure more than offset the losses which had been recorded in the preceding six months.

A special report for the third New York district showed that October collections in the Broadway sector were $277,256 against $545,092 in September and $285,506 in October, 1938. The loss was entirely in admissions, which dropped from $503,762 in September to $228,861 last month.

Taxes on free or reduced rate ad-

(*Continued on page 7*)

Cantor to Direct 'March of Dimes'

Eddie Cantor has been appointed national chairman of the March of Dimes of the Air committee in the 1940 "Fight Infantile Paralysis" campaign, by Keith Morgan, national chairman of the Committee for the Celebration of the President's Birthday. Cantor originated the March of Dimes idea two years ago and netted $81,000. Last year a total of $217,000 was collected. Many stars will aid Cantor in promoting the March of Dimes on the air.

Dates Set for Nine Showings of 'Wind'

Nine "Gone With the Wind" engagements have been set by M-G-M between Dec. 15, when the film receives its world premiere at Loew's Grand, Atlanta, and Jan. 1.

The dates set are: New York, Astor and Capitol, Dec. 19; Los Angeles, Carthay Circle, Dec. 28, and United Artists, Dec. 29; Boston, State and Orpheum, Dec. 21; Cincinnati, Reading and Harrisburg, Pa., Dec. 21.

The New York premiere will be concentrated at the Capitol, where seats will be unreserved except for the opening performance. There will be an interval of a half-hour between

(*Continued on page 7*)

I.A. Seeks Complete Rule Over All Unions in Studios

LOS ANGELES, Nov. 21.—I.A.T.S.E. will attempt to take over all unaffiliated employee organizations following the settlement of present negotiations for a 10 per cent wage increase for some of other A.F. of L. crafts, it was learned today.

The project to be accomplished by William Bioff would have as its ostensible purpose the elimination of all opportunities for the C.I.O. to obtain a foothold in the industry.

I.A.T.S.E. has wide jurisdiction boundaries, claiming its charter gives it a hold over every craft engaged in making and showing of motion pictures, and as such can press its demands.

Negotiations have been under way for some time to give a charter to the Screen Publicists Guild which also is flirting with the C.I.O. Alliance stands ready to grant a charter immediately upon the application of the Guild.

The I.A.'s next move will be overtures to the Society of Motion Picture Film Editors which has already shied away from such entanglement. However, the Alliance can grant a charter to a new organization of editors and thereby wean membership away from the Society.

The American Society of Cinematographers is willing to accept an I.A.T.S.E. charter but the snag to the deal is that the Alliance refuses to grant a paper making the A.S.C. a separate organization from Studio Photographers Local 659. A.S.C. members fear being outvoted by film loaders, assistant cameramen and other minor workers if they are forced to join under Local 659 charter.

Relations between the alliance and

(*Continued from page 2*)

Quota Stays Until March, Says Stanley

Pact on U. S. Withdrawal Of Currency Is Near

By AUBREY FLANAGAN

LONDON, Nov. 21.—In his first official statement indicating the course which Britain will pursue in its wartime regulation of the film industry, Oliver Stanley, Board of Trade head, today chided the British industry for being unable to protect its interests without legislative and foreign assistance.

Addressing today's meeting of the Films Council, Stanley confirmed the Government's intention of continuing the Quota Act in its present form until next March, when the current booking registration period ends.

Commons to Hear Stanley

While he reported that negotiations on withdrawal of currency by American companies are continuing, an agreement is known to be imminent and may be concluded in time for Stanley to make known its substance in a speech in the House of Commons today. He will pay tribute to the American film industry.

It is authoritatively forecast here that American film interests will be allowed to export not less than 50 per cent of their total British revenues.

The agreement will climax weeks of discussions and negotiations with American diplomatic interests, headed by Ambassador Joseph P. Kennedy. The meetings have been noted for

(*Continued on page 6*)

Federation Drive Meeting Tuesday

Next luncheon meeting of the Amusement Division of the New York and Brooklyn Federations of Jewish Charities will be held next Tuesday at 12:30 o'clock at the Hotel Astor.

The Federation this year must raise a larger sum than it did last year, as the need is greater. David Bernstein and Major Albert Warner, co-chairmen of the Amusement Division, at the meeting will discuss with committee members plans for this year's drive.

No Paper Tomorrow

***Motion Picture Daily* will not be published tomorrow, Nov. 23, which is Thanksgiving Day in New York State.**

U.S. Not Asked To Take Steps In Studio Fight

WASHINGTON, Nov. 21.—Washington officials of neither the Labor nor Justice departments have as yet taken any steps in connection with the threatened strike of studio employees in Hollywood, it was declared by Department heads today.

At the Labor Department it was said that no request has been received from either studios or union for the services of a conciliator, although it was pointed out that two men are stationed permanently on the West Coast and may take action themselves.

Department of Justice officials also said no consideration was being given the matter here. It was added that if there were any grounds for departmental intervention it would emanate from the District Attorney's office in Los Angeles where, it was said, officials undoubtedly are conversant with all developments in the situation.

Labor department officials, discussing the matter, pointed out that the West Coast representatives might act without a request from either side in the controversy and offer their services with a view to mediation.

Such a step is taken frequently, it was said, and in most instances the offer of assistance is readily accepted by both employer and labor.

M-G-M Sneak Preview

"The Light That Failed," M-G-M picture, was given a "sneak preview" at Loew's Rochelle last night.



UNITED...

THE DISTINGUISHED WAY TO LOS ANGELES

Overnight to the coast. Luxurious Mainliner sleepers — the "Continental" leaving New York 5:45 pm, and the "Overland Flyer" leaving New York 10:45 pm. Finest meals aloft. Call travel agents, hotels, or

PHONE MU 2-7300 UNITED AIR LINES 58 East 42nd Street

Purely Personal

S. CHARLES EINFELD, Warner vice-president in charge of advertising and publicity, will leave for the coast on Friday after a visit of several weeks here.

•

MR. and MRS. HARRY HELLMAN will leave about Dec. 1 for Miami Beach, to spend the Winter. Hellman operates the Royal and Paramount, Albany, and Palace, Troy, neighborhood theatres. In his absence, his son NEIL will be in charge.

•

ALLAN JONES, Paramount star, leaves Hollywood next Wednesday for New York to make a two-week personal appearance at the Paramount. A two-week engagement at the Chicago Theatre, Chicago, follows.

•

JACK ELLIS, RKO salesman and president of the Motion Picture Associates, was married last Sunday to EVELYN BASSETT of Chicago. They will leave on their honeymoon late in December.

•

MAURICE BERGMAN, LOU POLLOCK, ALEC MOSS, HANK LINET and MILTON SILVERS have made chess a favorite diversion among industry advertising and publicity men.

•

ROBERT TAYLOR and his wife, BARBARA STANWYCK, plan to attend Saturday's U.S.C.-Notre Dame game in South Bend, Ind., while en route to the Coast.

•

JUDITH ALVARADO and GUSTAVO MURILLO, operators of a Venezuelan circuit, have returned from Hollywood and will leave for Venezuela shortly.

•

ABE BERNSTEIN is in Pittsburgh on an exploitation assignment for Universal in connection with "Tower of London" openings.

•

CHARLES BOYER arrives from Lisbon on the *Atlantic Clipper* today after having been delayed en route by storms.

•

JANE BRYAN, Warner player, will attend a party in her honor in Boston today and return to New York tonight.

•

ARTHUR LOEW, DAVID BLUM, ROBERT S. BENJAMIN and HERMAN WOBBER at Sardi's for lunch yesterday.

•

JAMES CAGNEY and his wife are en route to their home in Martha's Vineyard for a three-month vacation.

•

HENRY KOSTER has delayed his departure for the Coast again and now plans to leave on Friday.

•

JOHN BRAHAM, Columbia director, is in New York from the Coast for a brief vacation.

•

IRVING COHEN of the Paramount legal department started to diet yesterday.

•

E. P. KILROE, 20th Century-Fox attorney, is in Washington.

•

J. DON ALEXANDER is in town from Colorado Springs.

•

ROY ATWELL is in town.

I.A. Will Seek Rule Over All Film Unions

(*Continued from page 1*)

talent groups—Screen Actors, Writers and Directors Guilds—have become more strained since Bioff attempted to have the Guilds send representatives to the Conference at which producers were to have discussed possible wage cuts.

Takeover of unaffiliated organizations will be preceded by a campaign to give the Alliance favorable publicity, part of which will be based upon getting wage increases for A.F. of L. crafts other than those now in studio basic labor agreement.

Installation Tonight By Wolff Associates

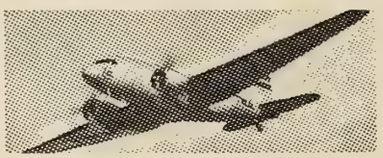
Installation of officers of the Max Wolff Associates will be held tonight at a dinner and dance at the Astor Hotel. The organization, which takes its name from Max Wolff, executive in the M-G-M purchasing department, its founder, is devoted to charitable and social purposes.

Wolff will be installed as president; Sergt. Cornelius T. Miller, president of the Police Honor Legion, first vice-president; Lester B. Isaac of Loew's, historian; and Charles J. Sonin, purchasing agent of M-G-M, second vice-president.

About 400 are expected to attend the affair, including officials of the police departments of the metropolitan area, judges and mayors of neighborhood cities.

FLY TO THE GOLDEN GATE!

VIA GRAND CANYON BOULDER DAM!



Less than a Day—By TWA!

Double your fun—when you travel to San Francisco or Hollywood! Fly TWA, and see Grand Canyon and Boulder Dam—2 scenic thrills you mustn't miss!

Only TWA offers you such a trip! Latest departure from New York—allows full evening at home.

LOS ANGELES or SAN FRANCISCO —*Overnight* via Skysleeper! Board TWA's "Sky Chief" 5:30 p.m.—arrive Los Angeles early next morning . . . in San Francisco at 11:53 a.m. Fare only $149.95.

10% Discount on Round Trips!

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TWA

IT PAYS TO FLY

The Airline Run by Flyers

SHORTEST, FASTEST COAST-TO-COAST

Newsreel Parade

President Roosevelt speaking at the Hyde Park library dedication is the main event filmed for the new issues. Movietone and News of the Day include pictures released by the German Government showing Nazi planes in an air raid. Major football games constitute the sports coverage. The reels and their contents follow:

MOVIETONE NEWS, No. 21—Nazi planes in air raids. Roosevelt dedicates library at Hyde Park. Reopen gold mine in Georgia. Di Maggio and actress married. Diving exhibition. Football: U. C. L. A vs. Santa Clara, Tennessee vs. Vanderbilt. Lew Lehr.

NEWS OF THE DAY, No. 219—German planes over Scapa Flow. Gold strike in Georgia. Roosevelt officiates at library dedication. Joe DiMaggio weds. Diving season open in California. Football: Tulane vs. Columbia, Tennessee vs. Vanderbilt, Michigan vs. Pennsylvania.

PARAMOUNT NEWS, No. 24—Football: Notre Dame vs. Northwestern, Yale vs. Princeton, Iowa vs. Minnesota. Funeral services for Justice Butler, Joe DiMaggio and Dorothy Arnold wed. Roosevelt speaks at Hyde Park. *City of Flint* en route home. Diving in California.

RKO PATHE NEWS, No. 36—Roosevelt lays cornerstone for library at Hyde Park. Railroad industry on upswing. Fire in Venezuela. Kay Kyser returns to home town. New park in Washington. Football: Duke vs. North Carolina, Columbia vs. Tulane.

UNIVERSAL NEWSREEL, No. 825—Gold strike in Georgia. French navy blockade. Oil tanker explodes in Bayonne. Roosevelt at library dedication. Girl stretches an inch. DiMaggio marries actress. Diving champs in practice. Football: Oklahoma vs. Missouri, Princeton vs. Yale. Duke vs. North Carolina, Cornell vs. Dartmouth.

Anti-Trust Charges By Brooklyn House

The eight majors, Century Circuit, Inc., Monogram Distributing Corp. and Republic Pictures Corp. were named defendants yesterday in an anti-trust suit for $75,000 triple damages filed in U. S. District Court by Mobeel Enterprises, owner of the Glenwood, Brooklyn.

Plaintiff charges the defendants with conspiring in restraint of trade by giving Century, RKO and Loew's neighboring houses an alleged unfair advantage in securing pictures for exhibition.

The plaintiff was forced to agree that it would not run any pictures until the defendants' theatres had first exhibited them, the complaint states, and to accept unreasonably long clearance.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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Nazi Censors Ban 189 Films In Czech Area

(*Continued from page 1*)

can film shown here has been "Gunga Din."

The Organization of U. S. Film Distributors, formed to protect the rights of the American industry in the protectorate, has disbanded. The chairman was Josef Hlinomatz, manager for M-G-M here. The organization was dissolved because of the Nazi regulation that all companies must be represented in the Central Film Organization for Bohemia and Moravia. Hlinomatz represents American companies in the organization. Doing business here are M-G-M, 20th Century-Fox, RKO, Paramount, Universal and United Artists.

Premiere Saturday Set for 'Geronimo'

PHOENIX, Nov. 21.—Gov. Robert T. Jones of Arizona, the mayors of 31 cities in the state, and a contingent of Hollywood players will attend the premiere of Paramount's "Geronimo" at the Orpheum here Saturday night. The opening will conclude a three-day "Valley of the Sun Celebration."

The Hollywood personalities will include: Preston Foster, Kitty Kelly, Chief Thunder Cloud, who appear in the film; Paul H. Sloane, director, and Patricia Morrison, Robert Preston, J. Carrol Naish, William Frawley and Joseph Allen, Jr.

The film will be shown at the same time in Tucson and Safford, Ariz.

Adolph Zukor leaves Hollywood tomorrow with Mrs. Zukor to attend the local premiere and thence will depart for Havana to start a Latin-America trip.

Zanuck Buys 1,000 Shares of 20th-Fox

WASHINGTON, Nov. 21.—Acquisition in September of 1,000 shares of Twentieth Century-Fox common stock by Darryl F. Zanuck, vice-president in charge of production, was reported tonight by the Securities and Exchange Commission.

With the acquisition, the S. E. C. report showed, Zanuck at the end of the month held 123,130 shares of the company's common stock and 21,946 shares of preferred.

Reports of the holdings of officers and directors of Monogram on Oct. 4 showed that Harry M. Iverson, former comptroller, held no Monogram securities; Samuel Broidy, Boston, elected a director, held 900 shares of common direct and 500 shares through Monogram Pictures, Inc., and 11,129 options for common, and William B. Jaffe, New York, elected a director, held 10,958 options for common stock.

Register Honolulu Stock

WASHINGTON, Nov. 21.—Consolidated Amusement Co., Ltd., Honolulu Exhibition Company, today filed with the Securities and Exchange Commission a registration statement covering 150,000 common stock voting trust certificates and 21,287 voting trust certificates for $20 par six per cent preferred stock.

Theatre, Personnel Notes

Manages Two in Bemidji

BEMIDJI, Minn., Nov. 21.—Al Bangs of Brainerd is the new manager of the Elko and Chief Theatres here.

Sells at Sault Ste. Marie

SAULT STE. MARIE, Mich., Nov. 21.—Edward Saether has sold his interest in the Soo Amusement Co. to his partners, Charles and Joseph DePaul.

Open Montfort, Wis., House

MONTFORT, Wis., Nov. 21.—The Fort Theatre has been completed and opened under the management of Harold Saxlund. It seats 500.

Illinois Theatre Ready Soon

PANA, Ill., Nov. 21.—Harry Tanner will open the new Roseland here about Dec. 15.

Sells House in Ohio

LARUE, Ohio., Nov. 21.—V. G. Secord has sold the Richland to H. C. Patterson, of Marion.

Link to Manage House

LEMARS, Ia., Nov. 21.—Elster Link will manage the new Pix theatre, which is owned by the March Bros.

Manages Lake Theatre

MAPLE RAPIDS, Mich., Nov. 21.—Robert Cantwell is the manager of new Lake Theatre here. Roy Taylor is the owner.

Theatre Gets New Sign

LUVERNE, Minn., Nov. 21.—A new sign 31 feet high has been erected in front of the Palace. Herman Jochims is manager of the house.

Installs Sound System

CAIRO, Ill., Nov. 21.—A new $2,000 sound system has been installed at the Uptown here.

Replace Theatre Seats

LAINGSBURG, Mich., Nov. 21.—Bench seats have been removed from the Elite here to make way for the regular style theatre seats. New sound equipment also been installed.

Kay Managing Lake

PAINESVILLE, Ohio, Nov. 21.—Harold Kay has been named manager of the $200,000 Lake, opened here recently. The theatre was erected by J. H. Shulman and A. G. Schwartz Amusement So. It seats 1,200.

Open Michigan Theatre

BROWN CITY, Mich., Nov. 21.—Apley and Mettice of Bad Axe will open a theatre here soon. Westerns and cartoons will be featured on Saturday.

Heymann Is Host To Picture Critics

Andre Heymann, president of the French Cinema Center, Inc., was host last night to film critics at a dinner at Felix restaurant, 23 E. 39th St. The dinner was in observance of the run of "Harvest" at the World Theatre, where it is in its eighth week.

Among those present were Dorothy Masters, *News;* B. R. Crisler, Frank S. Nugent, Bosley Crowther, *Times;* William Boehnel and Maxine Cook, *World-Telegram;* Jesse Zunser, *Cue;* Jack Alicoate, *Film Daily;* Gilbert Josephson, operator of the World Theatre; Hal Lehrmann, French Cinema Center, and Herman Weinberg, publicity director of the company; Bob Mintz, Al Selig, Charles Jahrblum, who edited the film; Mr. and Mrs. Leonce Arnaud and Mr. and Mrs. Llewelyn L. B. Summers.

Extend Ticket Code For Another Week

The old ticket code was extended for one more week by Actors Equity yesterday after the attorneys failed to get the new one in shape for the council meeting. The council declared that this was the "maximum" extension, and it is believed that a definite decision will be made next Tuesday. The council also set Dec. 22 at 2:30 P. M. as the time for the quarterly meeting at the Hotel Astor.

Kahn Gets Fox Post

Irving B. Kahn has been appointed radio publicity contact man for 20th Century-Fox by Charles E. McCarthy, director of advertising and publicity. He is giving up his publicity office to take the post.

400 to Attend Loew's Frolic Tomorrow

(*Continued from page 1*)

tre organization. It also is known that the affair is in recognition of the hard and efficient work done by the Loew showmen to beat the last Summer slump. Beyond that no announcement is being made as to the nature of the entertainment or any other details. Even the trade press is not invited.

Strictly a Loew family affair, says C. C. Moskowitz. "There'll be 400 boys and girls there and they'll have fun," is the only comment from Oscar A. Doob, general chairman for the party.

Upstate Allied Meets In Albany on Dec. 4

ALBANY, Nov. 21.—Upstate Allied in this territory will resume their regular monthly meetings the first Monday in December, which is Dec. 4, according to Mitchell Conery, regional head.

Presiding at the meeting will be E. H. Souhami, New York, executive secretary. The meeting will be held in the Ten Eyck Hotel.

Von Stroheim Signed

Eric Von Stroheim, who has been working in French films several years, has been signed by 20th Century-Fox to appear in "I Was an Adventuress," which will feature Zorina and Richard Greene. Stroheim formerly was a director and actor in Hollywood.

Marcus Loew's Dividend

Marcus Loew's Theatres, Ltd., has voted an accumulations dividend of $3.50 a share on the 7 per cent preferred stock, payable Dec. 15 to stockholders of record December 2. Dividend arrears on Jan. 15 will total $14 a share after the above disbursement, according to Fitch.

Draft Plans For One Big Actors Union

In an effort to formulate a working "one big union" plan within the next month, the Associated Actors and Artistes of America, parent body of all actor unions, discharged its reorganization committee yesterday and assigned Bernard J. Reis, an accountant, to work full time on drawing up a plan.

The committee, appointed shortly after the conclusion of the jurisdictional fight with the I.A.T.S.E., had been working for more than two months but was unable to establish the financial basis for the merger. The principal difficulties were the fact that the union executives could not meet often enough, the fact that they did not have the necessary financial data, and that most of them regarded the problem from the viewpoint of their own branches rather than as a whole.

Reis has already assembled figures showing the membership, surpluses, dues paid, and operating expenses of the various branches and has prepared an analysis of the figures. He will probably take a trip to the Coast to study operations of the unions there and should be in a position to submit a report about Dec. 15.

None of the 11 branches of the 4-A is now operating at a surplus. Actors Equity, the branch with jurisdiction over the legitimate stage, has the greatest funds but these were accumulated years ago. American Federation of Radio Artists is starting to pay its own way but is still far from a strong financial position. Screen Actors Guild has lost considerable income by closing its books to further enrollment of extras and, in addition, operates at the highest cost because of the wide services it renders to its membership. The smaller groups, also, are just making ends meet.

The "one big union" plan will necessarily lower the income because actors will not be required to pay extra dues or initiation fees when working in more than one field. The establishment of a uniform system of dues will also require some branches to lower their fees while others will raise the tariff. The problem of working this out on an equitable basis will be left to Reis.

The chief difficulty Reis is likely to encounter is on the recommendations for the elimination of useless expenses. With centralization of all functions, it may be possible to use less paid officers and items of overhead can also be reduced. This may cause friction in certain quarters. Also the problem of a joint headquarters may cause some disputes, particularly in the case of Equity which owns the building it occupies.

All Edward Small's Films to Music Hall

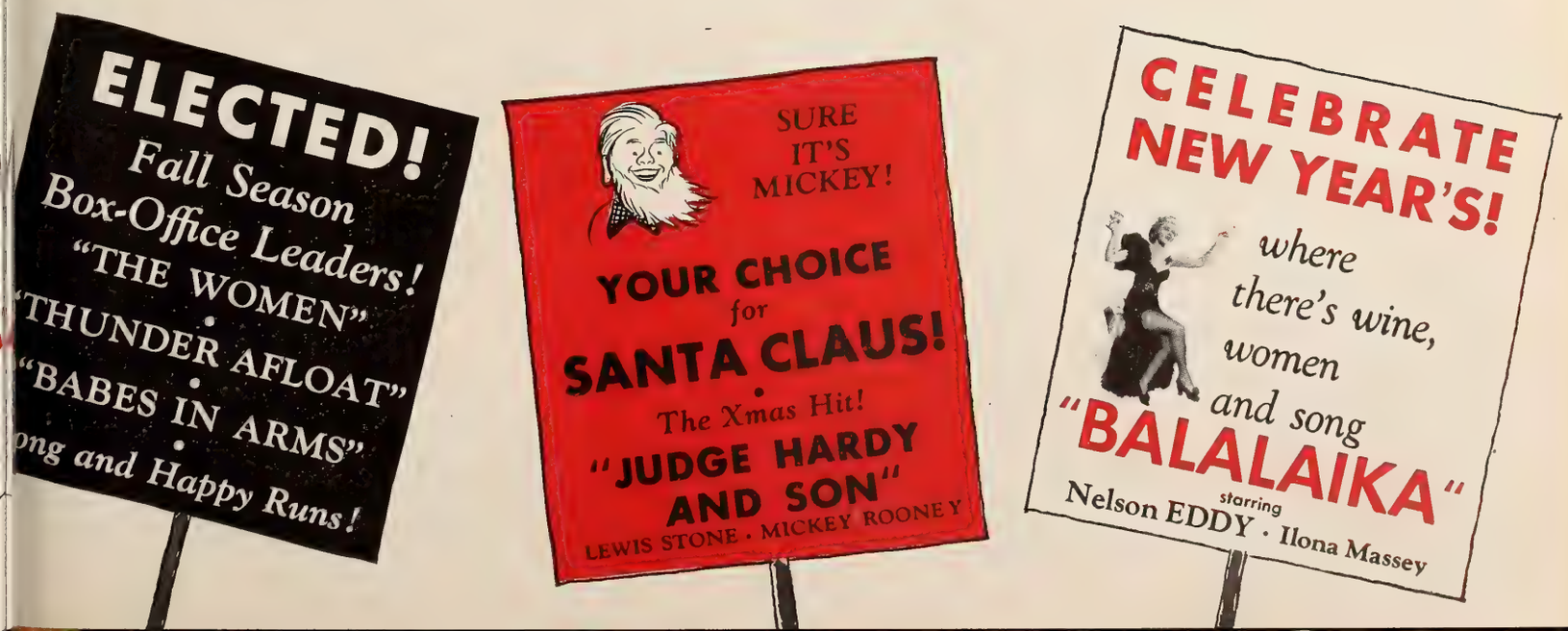
All of the Edward Small productions are set to show at the Radio City Music Hall under a deal arranged between the theatre management and United Artists. These pictures are "My Son, My Son," "Two Years Before the Mast," "Kit Carson," "The House of Monte Carlo" and "South of Pago Pago."


"ANOTHER THIN MAN"
•
Another M-G-M Hit!
•
First engagement at Detroit beats "Wizard", "Babes" and biggest M-G-M hits. Bravo Bill Powell and Myrna Loy!
3rd WEEK!
of merry mobs at Radio City Music Hall
"NINOTCHKA"
a new Garbo in swell comedy!
HOLD IT!

DON'T GET CAUGHT OUT ON A LIMB

while the M-G-M Hit Parade passes by!

Enjoy the most amazing year of successes in all film history. And just think, it's only November! Oh, boy!



Short Subject Reviews

"Symphony of Swing"
(Warners)

Artie Shaw leads his orchestra in a lively swing session. Hit tunes, such as "Jeepers Creepers," "Deep Purple" and "Lady Be Good" feature the musical, which is done in a straight bandstand setting. Helen Forrest and Tony Pastor sing and Shaw plays several solos on the clarinet. Running time, 10 mins.

"Pied Piper Porky"
(Schlesinger-Warners)

A black and white "Looney Tune" with Porky cast in the embarrassing role of a "Pied Piper" who allows a mouse to escape. Porky tries to capture the mouse with several traps but is unsuccessful. A cat, too, wages a losing battle. Clever animation. Runing time, 7 mins.

'American Saddle Horses'
(Warners)

The evolution of American horses is shown in this "Color Parade." Starting with the mustang, as the original American horse, the reel shows the development of breeds adapted for special purposes. The saddle horse receives particular attention and his various gaits are described. Well directed by Del Frazier, the reel should hold audience attention. Running time, 10 mins.

"Fagin's Freshman"
(Schlesinger-Warners)

A worthwhile "Merrie Melody" cartoon, done in color, which should draw plenty of laughs. Blackie, a young cat who refuses to sing nursery songs, is sent to bed without supper. He dreams that he is attending a school for the instruction of young criminals and is glad to find he is home when he awakes. High light of the reel is a sequence showing the police raiding the school. Running time, 7 mins.

"The Royal Rodeo"
(Warners)

Set in the mythical kingdom of Avania, the reel tells of a boy king who would rather read wild west stories than rule. An American traveling show comes to town and entertains the king with a rodeo. Afterwards, the king is kidnapped but the cowboys save him and describe the American method of government. Lots of action and several songs are packed into the reel. Done in color. Running time, 15 mins.

Hays Board Again Adjourns Meeting

Another adjournment of the third quarterly meeting of the M.P.P.D.A. board was taken following a session yesterday devoted to "general discussion" of the foreign situation.

No date for the next meeting was set as the regular fourth quarterly meeting is scheduled for Dec. 13 and another session may not be required before then.

Ticket Prices Maintaining Steady Level Through U.S.

(Continued from page 1)

cipally to meet changing local business and competitive conditions.

In New York as elsewhere no upward trend is looked for.

Following are reports of conditions in various key centers:

Los Angeles Territory Has Highest Admission

Los Angeles, Nov. 21.—This territory still retains its distinction of having one of the highest, if not the highest, average admission price—33½ cents.

No major changes in admission prices, either upward or downward, have been made in the last few months, the opening of various low-price houses recently being counterbalanced by raises made within the past three years, when the Independent Theatre Owners established, by a checkup, the average tariff.

The 33½-cent figure applies to both independent theatres and the Fox West Coast circuit which controls most of the situations here.

Robert H. Poole, I.T.O. executive and director of the Pacific Coast Conference of Independent Theatre Owners, said that he would make a new survey of the price range at the beginning of next year, but added his figures at present showed no change from the average already established.

Only major price change in the heart of the territory was the increase from 25 cents to 40 cents at the Wiltern, whose operation Warners resumed.

Fox West Coast's recently announced plan of reducing about 15 houses to 15-cent and 20-cent zonings never was carried out.

No Change Expected In Cincinnati Area

Cincinnati, Nov. 21.—There is no intention at present to change current admissions in the Cincinnati territory. As one exhibitor spokesman said: "We are letting well enough alone."

Business, although inclined to be spotty, has been maintained on a fairly even keel over the past several months, especially for the better grade of product, and there is occasional evidence of improvement.

Lower admission scales might attract some additional business, but hardly sufficient to justify, while to raise prices would tend to reduce attendance. Conditions being what they are, present prices will be maintained. This is the gist of exhibitor opinion.

Texas Remains 'As Is' From Price Standpoint

Dallas, Nov. 21.—Texas remains as is from the admission price standpoint. There have been no material changes lately and none is anticipated at this time.

Little Kansas City Change in Six Months

Kansas City, Nov. 21.—Admission prices in this territory have changed little in the past six months, and there is no indication that they will vary to any extent in the next six.

General business is better than it was a year ago, but this does not hold true of theatre grosses. The normal Fall pickup at the box-office was delayed 45 days, due largely to the unusually warm weather, which lasted almost to Nov. 1.

There have been a few price decreases. In Wichita, Kan., where indedendents are trying to get distributors to release on the basis of actual and not the "advertised" admission, two-for-ones are the rule.

However, the Wichita situation is localized. Elsewhere in the territory a few houses have reduced admissions on certain changes by a nickel or a dime. In Kansas City the Tower is getting 25 cents. A year ago it was getting 40 cents and occasionally 55 cents top.

No Price Changes Are Expected in Philadelphia

Philadelphia, Nov. 21.—Warner circuit recently increased night prices at five downtown theatres, making the top tariff 68 cents. The previous top was 57 cents. Saturday and Sunday prices similarly were rescaled.

This was done to restore price cuts made several years ago and affected only downtown situations.

St. Louis Reductions Caused by Competition

St. Louis, Nov. 21.—Four local first run houses have reduced admissions by 15 cents nightly, except Saturday, Sunday and holidays. It is the first cut in many years, and the new top—40 cents—is the lowest in recent years. Indications were that competition dictated the change in price.

Trend in Wisconsin Is to Lower Prices

Milwaukee, Nov. 21.—Lowered admissions appears to be the trend in this territory. Locally, first runs continue to hold the 25-cent low price inaugurated during the Summer. Elsewhere in the state, family bargain nights and 10-cent admissions have been started by Warners in several situations.

No Desire to Lower Admission in Chicago

Chicago, Nov. 21.—No revisions in admission prices are contemplated in this area.

Chicago is noted for the fact that its film theatre admissions are among the highest in the country. There is no desire on the part of anyone to lower them. Nor are increases immediately in prospect.

Only One Increase In Minneapolis Prices

Minneapolis, Nov. 21.—Only one substantial price change has been made here recently. The Minnesota Theatre went from a 15 cent-30 cent scale to 20 cents-40 cents. The increase was accompanied by bigger "names" with the stage shows.

Providence 50-Cent Top All City Will Stand

Providence, Nov. 21.—No changes in price scales are contemplated in Providence. The viewpoint expressed at the Fay Theatres office is that the 50-cent top for first runs is all the city will stand. This is the sentiment of other operators as well. The last general price raise was about two years ago when first runs went from 40 cents to 50 cents.

Quota Stays Until March, Says Stanley

(Continued from page 1)

their friendliness and the mutual understanding of the problems involved on both sides.

The only amendment to the Quota Act will be one extending the six-month advance booking limitation to a 12-month period, Stanley informed the Films Council. This change is heartily approved by producers, distributors and exhibitors.

Ready for Production

Meanwhile, American distributors must fulfill their normal quota obligations unless the international situation or enemy bombings make production impossible. The American companies, as already announced, have plans in readiness for the immediate resumption of production.

Warners will begin shooting next week on the first of five pictures planned. A. M. Salomon will be in charge of production.

Negotiations on problems relating to foreign exchange will be continued. No final statement on the subject is expected for some time to come. Stanley declared today, however, that he was convinced that the dollar-pound situation will have stabilized itself by March, when the current quota period ends, and that in the meantime there will be no considerable penalization of foreign traders.

Foreign Imports Suffer

He stated that he expects the British industry and the Films Council, meanwhile, to develop some method of continuing and stimulating voluntary production activities here to offset the effects of restricted foreign imports which will be inevitable under the currency remittance regulations.

Stanley voiced his disappointment with the British film industry for not protecting its interests without legislative and foreign assistance. He said that producers and labor had misled him by suggesting that foreign distributors had claimed the privileges of the emergency clauses of the Films Act as a basis for not meeting their production obligations under the quota.

Stanley said that every American company had fulfilled its obligations to the last foot, and many of them with a considerable surplus to spare.

Blow to U. S. Distributors

Meanwhile, trade quarters point out that even with the expected 50 per cent remittance agreement, American distributors will be unable to realize 50 per cent of their normal cash collections from Britain. Where ordinarily this would amount to approximately $17,500,000 annually, gross business now, because of wartime conditions and restrictions on theatre operating hours, is estimated to be 20 per cent below normal. In addition, the pound has depreciated about 20 per cent and this must be reckoned on the basis of foreign exchange at the time remittances are made.

Estimates here are that the American withdrawals may aggregate $12,600,000 annually under the new conditions, as compared with a pre-war average of $35,000,000.

Notes on Radio Personalities And Programs

The U. S. Department of Labor has arranged 13 weekly programs which will be aired Mondays at 11 A. M. over Mutual. Called "Pay Envelope," the show will describe how the Middleton's, a mythical family with an average income, makes ends meet.

Richard Maxwell, who conducts the "Good Neighbors Club" over WABC, yesterday chartered the 100th "Good Neighbor Club."

General Electric is short-waving stock exchange quotations from Schenectady to exchanges at Manila, Shanghai and Hong Kong daily.

Gilbert Ralston, formerly with the electrical transcription department of NBC, has joined Compton Advertising as program manager of the radio department.

J. Walter Thompson yesterday extended the contract of Cecil B. DeMille on the Lux Radio Theatre.

Wheatena Corp. is sponsoring "Wheatena Radio Playhouse," a Jewish languague dramatization. It is heard Monday, Wednesday and Friday at 5:30 P. M. over WBNX and Tuesday, Thursday and Saturday at 2:15 P. M. over WEVD.

The Warner Strand in Albany and the Troy, in Troy, are offering passes for contestants who answer questions on WABY's "Man on the Street" show.

When Phil Spitalny broadcasts his "Hour of Charm" from Omaha Sunday, he will air his show from the stage of the Orpheum were he starts an engagement Friday. The house will be closed to all except those holding passes distributed by General Electric. A preview of "Disputed Passage" will follow.

Admission Taxes Bring Higher Yield

(*Continued from page* 1)

missions increased from $3,411 to $3,673; on tickets sold by brokers from $3,422 to $6,102; on permanent use or lease of boxes and seats from nothing to $3, and from admissions to roof gardens and cabarets from $34,380 to $38,617.

There were no collections on tickets sold by proprietors in excess of the established price, from which $118 was collected in September.

Import 17 French Shorts

French Cinema Center, Inc., has acquired 17 short subjects for release this season. The shorts were produced in France. Twelve have commentaries in English and five have superimposed English subtitles. The first is currently at the 55th Street Playhouse.

Para. Officials on Trip

HOLLYWOOD, Nov. 21.—John W. Hicks, Jr., and Russell Holman will join Barney Balaban, Stanton Griffis and Neil Agnew on a trip to the Paramount studios, arriving here Monday.

National Honor

Warners' "Wings of the Navy" has been ordered revised by the Japanese censors on the ground that it insults the national flag. There is a sequence in which a bullseye is shown during the Navy's target practice. The bullseye, says the Japanese authorities, resembles the flag of the Rising Sun. Therefore, it must be retouched to protect the national honor.

Dates Set for Nine Showings of 'Wind'

(*Continued from page* 1)

each showing, to minimize the likelihood of patrons entering after the screening has started. Capitol prices will be 75 cents matinees and $1.10 nights.

Astor policy will be two shows a day, with reserved seats ranging from 75 cents matinees to $2.20 top nights.

In Los Angeles, reserved seat two-a-day policy will prevail at the Carthay Circle, with three shows, unreserved, at the United Artists. The same twin policy will prevail in Boston, with the State on a two-a-day policy and three-a-day at the Orpheum.

Capitol, Cincinnati, will have three shows a day, unreserved. In Reading, at the Colonial, there will be two reserved-seat performances daily, and at Loew's Harrisburg three shows daily, starting at noon, with a half-hour between.

Premiere at Rialto On 'Flying Deuces'

"Flying Deuces," Boris Morros production released by RKO, will be premiered at the Rialto tonight. The opening of the Laurel and Hardy vehicle marks the Rialto's first formal premiere since "The Sign of the Cross" in 1932.

RKO executives expected to attend include: Andy Smith, Eastern and Canadian sales manager; Harry Michalson, short subject sales manager; Robert Wolff, manager of the New York exchange; S. Barret McCormick, director of advertising and publicity, and Rutgers Neilson, publicity manager.

Sign Commercial Television Shows

NBC has arranged its second series of commercially sponsored shows for television, it was learned yesterday. Elizabeth Watts, a fashion authority, is doing a series in cooperation with local stores. Each program is sponsored by a different store and consists of a fashion show with models showing the correct and incorrect methods of wearing clothing.

The first series to be commercially sponsored is no longer on the air. George Ross, *World-Telegram* columnist, conducted a show for Andrew Geller shoes for two months but it was discontinued in September.

Birdwell, Presbrey Join

Russell Birdwell & Associates and Cecil & Presbrey, Inc., are joining forces in public relations work and advertising. C. & P. has its main office in New York.

Grocers Call Radio 'Best Ad Medium'

Radio is preferred as the advertising medium for the introduction of new grocery products by 85 per cent of independent grocers, operators of super-markets and distributors, according to a sales promotion brochure issued by WOR yesterday.

The survey, made by Grocery Laboratory, a research organization in the grocery field, was made to determine the relative values of advertising media for branded grocery products.

Newspapers were preferred for new products by 14 per cent of those questioned, while one per cent expressed a preference for other media. For well-established products, 77 per cent selected radio, 20 per cent newspapers, and three per cent other media.

The brochure, called "From Hand to Mouth," states that WOR was the first choice of the distributors, 36 per cent of whom selected that station, 25 per cent selecting "any big station," and 14 per cent selecting the nearest competitor.

Also, according to the brochure, WOR placed second as a favorite among independent grocers, 15 per cent of whom selected WOR, as compared with 17 per cent who selected a competitor station.

Rites for Black Today

Funeral services will be held at Riverside Chapel at 9:30 A. M. today for Maurice Black, 70, father-in-law of Joseph Bernhard, general manager of Warner Theatres. Burial will be at Mt. Sinai Cemetery, Philadelphia.

Reason Enough

M-G-M has received the following letter from a customer:

"The reason I did not send you box-office statements is that we have had the whole house torn up, been without a maid, wiring, and a thousand and one things to do; therefore, I left the things which I thought could go awhile, undone! I'm quite sure that under the same circumstances you would have done likewise. Sorry!"

Television Pushed By Oklahoma City

OKLAHOMA CITY, Nov. 21.—Television such as was demonstrated at the city Municipal Auditorium for the past six days by WKY and the *Daily Oklahoman and Times*, is still in the experimental stage, with little immediate prospect for widespread use, Edgar T. Bell, general manager of the Oklahoma Publishing Company and of WKY, emphasized this week.

Abraham I. Starr Dies at Age of 75

Abraham I. Starr, father of Herman Starr, Warner vice-president, died at his home in Brooklyn yesterday morning. Funeral services will be held at 2 P. M. today at the Boulevard Funeral Parlor, 374 Empire Boulevard, Brooklyn.

Starr, who was 75, is survived by his widow, six sons and a daughter.

"Friends, tonight, you have shown me how mean and ornery I've been, and I'm ashamed of myself."



"JEEPERS CREEPERS"
with
WEAVER BROTHERS and ELVIRY
ROY ROGERS • MARIS WRIXON
A Republic Picture

...AND WE'VE GOT SOMETHING TO MAKE A NOISE ABOUT!

We've got the only advertising medium in the field that never lets you down! . . . NATIONAL SCREEN TRAILERS.

- **Only known advertising reaching all of your *customers* at every performance. Only known advertising which emphasizes the highlights of your picture in action as well as words.**
- **Only known advertising that is part of your show.**
- **Only known advertising that gives you an accurate check on how many people read your sales message. Only known advertising that makes them stop to LOOK *and* LISTEN. . . . They are in your theatre...CUSTOMERS in a mood to buy!**

We've got something to shout about because NATIONAL SCREEN TRAILERS *SELL SEATS!*



PUT IT OVER WITH A BANG with Special Announcement Trailers by **NATIONAL SCREEN SERVICE** ...made especially for you from your own copy or ours!

NATIONAL Screen SERVICE

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 102 NEW YORK, U. S. A., FRIDAY, NOVEMBER 24, 1939 TEN CENTS

British Allow 50% U.S. Cash Withdrawal

3-Year Average Is Basis Of Remittances

By AUBREY FLANAGAN

LONDON, Nov. 23.—In a letter to Sir Frederick Whyte, Films Council chairman, Oliver Stanley, Board of Trade head, confirms recent MOTION PICTURE DAILY accounts that the American film distributors will be permitted to export 50 per cent of their British revenues, in dollars, and also that the British Quota Act remains in force until March.

The Stanley statement indicated the remittance regulations will be effective for one year from Nov. 1, 1939 to Oct. 31, 1940.

$17,500,000 for Export

The amount of revenue which will be allowed for export is to be based on the average income of the American companies, from British operations, over the last three years. The total annual revenue of the American firms is put at approximately $51,000,000. Since approximately $15,000,000 of this amount is expended on operations, the actual gross revenue of the companies left for withdrawal is about $35,000,000.

Thus the amount which the American companies will be permitted to export will be no more than $17,500,000.

The decline in the rate of exchange, added to the drop in British theatre business generally, owing to the war, of course will bring down this amount still further.

There will be a control organization set up representing the seven American

(*Continued on page 2*)

Goldwyn May End Production Soon

Samuel Goldwyn may shut down on production soon, according to informed observers in the East. In the meantime, James Roosevelt is "on leave," from the studio and his name has been coupled with John Ford's in a reported independent production scheme, with a 20th Century-Fox releasing angle involved.

Goldwyn also has been talking to RKO and Paramount about releasing through them in the event he can break away from United Artists. It is understood from informed circles that both Paramount and RKO, before negotiating with Goldwyn, want

(*Continued on page 2*)

M-G-M Guarantees Good 'Wind' Profit

M-G-M is ready to guarantee a profit to exhibitors on "Gone With the Wind," according to authoritative sources. M-G-M is getting 70 per cent of the theatre's gross on preliminary engagements already arranged. These are the highest terms ever obtained on any picture.

The same sources disclose that M-G-M has assured buyers that if these terms do not result in at least a 10 per cent profit above average, the company will make up the difference.

M-G-M is looking for a world gross of from $10,000,000 to $13,000,000 on the film. Walt Disney's "Snow White," which has the record, has grossed more than $8,000,000 so far.

Churches Protest 'War Hate' Films

CINCINNATI, Nov. 23.—More than 300 churches in the Cincinnati area have appealed to the Hays office to do everything in its power to prevent the stirring of "hatred and the war spirit" by motion pictures.

These churches, comprising the Council of Churches of Greater Cincinnati, have also urged the Hays office to "tone down the belligerent spirit of interpreters in newsreels." A letter, signed by Dr. Henry Pearce

(*Continued on page 7*)

STUDIOS TO REJECT WAGE PLEA TODAY

Chicago Seeking Bioff's Arrest in 1922 Case; He Blames Foes

HOLLYWOOD, Nov. 23.—Hollywood labor circles were agog Wednesday night when a news dispatch from Chicago declared that authorities there were ordered to imprison William Bioff, Hollywood I.A.T.S.E. leader, pending an adjudication of his sentence on a pandering charge 17 years ago.

The Cook County Apellate Court at Chicago affirmed the 1922 conviction of Bioff on the pandering charge. He was sentenced at that time to serve six months in jail and pay a $300 fine. Bioff never completed the term.

Bioff Blames Enemies

Authorities at Chicago, following an expose of Bioff's past and a copyrighted story by Westbrook Pegler in the Chicago *Daily News*, immediately launched steps to contact California officials to procure Bioff's arrest.

Bioff issued the following statement here:

"This is an obvious effort by my enemies to discredit and embarrass me on the eve of climaxing the negotiations between the producers and Hollywood studio unions for a 10 per cent increase in wages. It is significant that for 15 years, while I was in Chicago and readily available at

(*Continued on page 8*)

Don't Believe Unions Will Strike; Negotiations To Be Continued

HOLLYWOOD, Nov. 23.—As the hour for a showdown between the producers and unions over wage increase demands grew nearer, it was learned today from an unimpeachable authority that the studio executives will reject the union's requests tomorrow.

The same authority confidently expressed the conviction that the unions, despite the refusal of producers to give them a 10 per cent wage boost, will not go out on strike in retaliation for the rejection.

However, it is the belief of negotiators representing the producers that the discussions on the wage controversy will be carried on possibly a month for the purpose of determining some equitable basis on which to deal with salary adjustments.

Newark Meeting Dec. 6

If this is done, it will extend the the negotiations well past Dec. 6, when a meeting at Newark is scheduled to consider the studio basic agreement. The Newark conference is expected to clarify the wage question to a material degree. Likewise the additional time will permit studios to accumulate more facts concerning the effect of the war upon the industry's foreign revenue.

MOTION PICTURE DAILY's informant said that the extra "breathing spell" of a month will enable the producers to work out a satisfactory solution of the whole question of wages.

In contradiction, William Bioff, I.A. T.S.E. leader and head of the A. F. of L. Conference of Studio Unions, said today:

"I am confident that we will obtain

(*Continued on page 2*)

Home Office Chiefs Flocking To Coast for Studio Parleys

HOLLYWOOD, Nov. 23.—With virtually every leading home office executive in the East streaming westward, Hollywood prepared to become the executive capital of the motion picture industry late this week.

Future production commitments both here and in Hollywood, besides the usual studio problems, will be considered during the next few days.

Murray Silverstone, executive head of United Artists, who arrived Tuesday, will spend a whole week here discussing company policies with individual producers. He declined to discuss the reported probability of Alexander Korda moving his production activities to Hollywood.

Jack Cohn, vice-president and Eastern head of Columbia, who arrived on the same day as Silverstone, is engaged in studio sessions devoted to a discussion of 1940-'41 product plans.

Barney Balaban, Paramount president; Neil Agnew, distribution head; John W. Hicks, foreign head; Stanton Griffis, chairman of the executive committee, and Russell Holman, Eastern talent head, all of Paramount, are scheduled to arrive here Monday from New York.

Harry M. Warner, president of Warners, is already here. S. Charles

(*Continued on page 8*)

RKO Offer Awaits High Court Ruling

New offer by Atlas Corp. to underwrite RKO's $1,500,000 common stock issue may not be submitted to the company until the U. S. Supreme Court rules on the certiorari application of Cassel & Co., challenging the legality of the RKO reorganization plan. The ruling is expected in two or three weeks.

Indications are, however, that if the Supreme Court ruling is delayed be-

(*Continued on page 8*)

Purely Personal

M. A. LEVY, 20th Century-Fox Kent drive leader, has returned to Minneapolis, where he is district manager, after a tour of exchanges.

•

GWEN HAGUE, daughter of CLAIR HAGUE, Universal representative in Canada, won two competitions at the Canadian Musical Festival conducted by the University of Western Ontario, being awarded the gold medals in the section for dramatic sopranos and in the operatic vocal class for either professionals or amateurs.

•

SAM WOOD will leave for South Bend tonight to take in the Notre Dame - U.S.C. game there tomorrow, and will return to New York thereafter.

•

ALBERT DEANE, assistant to JOHN W. HICKS, Paramount foreign head, is in Washington visiting relatives over the Thanksgiving weekend.

•

WALTER GOULD, United Artists Latin American manager, is spending the Thanksgiving weekend at his Chestertown, Md., farm.

•

OSA JOHNSON is due today from a two-week lecture tour through the Midwest. She will return to the Coast after a few days here.

•

MIKE ROTH of National Screen Service, Omaha, and SALLY SILVERMAN of New York, were married in Kansas City Tuesday.

•

FRED MEYERS, RKO's chief film booker, leaves Friday for Hollywood to look over newly finished product.

•

IRENE LEE, Warners story editor on the Coast, will return to the studio over the weekend via TWA.

•

DAVID BLANKENHORN of Cosmocolor returned to Hollywood yesterday on a TWA plane.

•

ROBERT TAYLOR and BARBARA STANWYCK return to the Coast tomorrow via TWA.

•

MURRAY FEIL of the William Morris office has returned west via TWA.

•

LELAND HAYWARD is due from the Coast over the weekend.

•

ABE LASTFOGEL of the William Morris office is in town.

•

HAROLD B. FRANKLIN is in town.

Levy and 'U' in Deal

Jules Levy, former general sales manager of RKO, is negotiating a one-picture production and releasing deal with Universal. He planed East from the Coast early this week in order to conclude arrangements.

Dave Whalen in Boston

Dave Whalen, in charge of publicity for Republic, is in Boston handling a campaign on the "Higgins Family" series. He will work also in other key cities and alternate betwen the field and the home office.

British Allow 50% U.S. Cash Withdrawal

(*Continued from page 1*)

companies, the Government and the Board of Trade. This organization will have supervision of the remaining revenues.

Under the agreement, which has been reached through U. S. Ambassador Joseph E. Kennedy and the Government, any foreign exchanges occurring as a result of overseas distribution of pictures made in Britain are exempted from the restrictive provisions of the agreement.

British companies which distribute American product in England are also affected, but with certain modifications.

Sees Quota Amendments

In his letter to Sir Frederick Whyte, Stanley foresees certain amendments necessary to the Quota Act and he indicates that possibilities will be explored for replacing the quota provisions by alternative arrangements under which American distributors shall spend an amount equivalent to the monetary obligations incurrable if the Quota Act remained either directly on production or as a guaranteed loan for production.

The American companies agree under the pact not to restrict their film exports to Britain and not to raise their film rentals above the present level.

Goldwyn May End Production Soon

(*Continued from page 1*)

to be fully assured that Goldwyn can make a clean break from United Artists.

United Artists undoubtedly would bring action to enjoin Goldwyn if he were to effect a release deal with any other company, due to the fact that it considers its contract with the part owner of the company to be an exclusive releasing agreement for any and all pictures produced by him.

Roosevelt has a five-year contract with Goldwyn at a present salary of $750 weekly, with provision for annual increases.

Fred Storm, who was appointed publicity manager for Goldwyn last Summer, and was recently transferred from Hollywood to New York, is no longer associated with the Goldwyn company.

Paramount Dividend

The regular quarterly dividends of $1.50 on Paramount's first preferred stock and 15 cents on the second preferred were declared Wednesday by the company's board of directors. The dividends are payable Dec. 26 to stockholders of record on Dec. 8.

Emil Umann Dies

HOLLYWOOD, Nov. 23. — Emil Umann, 37, theatre man credited with starting the recent new horror cycle, died at Cedars of Lebanon Hospital Tuesday night from a kidney ailment.

Movietone Chooses All-American Team

Here is the first All-American football team of the season, selected by the 20th Century-Fox Movietone News experts — Tom Cummiskey, sports editor, and Ed. Thorgersen, commentator:

Bud Kerr, end, Notre Dame; Harry McCollum, tackle, Tulane; Harry Smith, guard, Southern California; John Schiechl, center, Santa Clara; Bob Suffridge, guard, Tennessee; Harry Stella, tackle, Army; Ken Kavanaugh, end, Louisiana State; George Cafego, quarterback, Tennessee; Tom Harmon, halfback, Michigan; Nile Kinnick (captain), halfback, Iowa; and John Kimbrough, fullback, Texas A. & M.

Paramount, Sparks At Odds Over Deal

JACKSONVILLE, Nov. 23.—Paramount and the E. J. Sparks All-Florida Circuit have been unable to agree on terms of a new season product deal despite continued negotiations over a lengthy period. However, the negotiations between the distributor and its own theatre operating partner are not at a standstill yet.

The Sparks Circuit closed a new season product deal recently with Warners.

Paramount home office sales officials stated there was nothing "unusual" in their inability to strike a deal up to this time with the Sparks Circuit, insisting that negotiations with the company's theatre associates frequently are long drawn out.

"Our partners have to be sold the same as any other exhibitors," one executive said. "We don't always get the terms we ask, whether it's from a partner or any one else, but we don't make a deal with any one for less than we think our pictures are worth," he said.

Expect 500 Guests At Associates Party

An attendance of about 500 is expected at the annual dinner and dance of the Motion Picture Associates at the Astor Hotel tomorrow night.

Film players in New York have been invited to attend. A program of entertainment has been arranged by Ben A. Boyar, stage producer.

Proceeds will be devoted to the Associates' charitable and welfare activities.

Morris Sanders is general chairman, assisted by Joe J. Lee, Moe Kurtz and Seymour Florin.

Bank Night Resumed

TROY, O., Nov. 23.—Bank Night, discontinued at the Mayflower last week after Common Pleas Judge Richard L. Cameron ruled it to be a lottery and dismissed injunction suit of Troy Amusement Co. to prevent seizure of equipment as evidence, has been resumed following the granting of a temporary injunction by the Court of Appeals. The case is set for hearing Dec. 11 at Dayton.

Studios Will Reject Wage Pleas Today

(*Continued from page 1*)

the 10 per cent wage increase Friday."

Friday's meeting will resume the discussion over wage increases from where it left off Monday, the day when a strike ultimatum by studio unions expired. Following Monday's meeting both sides were optimistic about reaching some amicable solution of the situation.

MOTION PICTURE DAILY learned over the holiday that only 3,500 workers are actually involved in the 10 per cent wage boost demand. The figure was obtained by approximating the number of workers engaged in 11 craft locals outside of I.A.T.S.E.'s 10 units and the four groups of unions covered in the studio basic labor agreement.

Heads of motion picture companies when they meet at Newark on Dec. 6 will study demands for a 10 per cent wage boost for teamsters, electrical workers and carpenters who have a total membership of 5,357 in the studios. No increase in wages is being asked by the 6,800 musicians in Hollywood. The musicians are seeking changes in working conditions only.

Sam Wood Advocates Remaking Fine Films

Among the preview cards collected following the recent Coast preview of Samuel Goldwyn's "Raffles" was one bearing this comment: "Fine. At last you have something new."

Sam Wood, director of the picture, recalling that the last "Raffles" was made 10 years ago, believes that comment to be significant.

"It is indication enough," he told reporters at a luncheon tendered him on Wednesday at the Plaza by United Artists, "that every good picture should be re-made every 10 years. The motion picture's audience is a young and ever-changing one."

Wood, who will be in New York for a few weeks, is negotiating with Sol Lesser to direct the latter's "Our Town," which is scheduled to go into production about Jan. 8 for United Artists release.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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You NEED

CAGNEY'S 'ROARING TWENTIES'

You NEED **'THE OLD MAID'— *You NEED***

'DUST BE MY DESTINY'— *You NEED* DAVIS and FLYNN in 'ELIZABETH and ESSEX'— *You NEED* 'DRESS PARADE' ('DEAD END' KIDS) — *You NEED* MUNI'S 'WE ARE NOT ALONE' (by the author of 'Mr. Chips')— *You NEED* 'THE RETURN OF DR. X'— *You NEED* CAGNEY, O'BRIEN, BRENT in 'THE FIGHTING 69TH'— *You NEED* 'INVISIBLE STRIPES' (George Raft, Jane Bryan, William Holden) — *You NEED* OBERON in 'WE SHALL MEET AGAIN'— *You NEED* FLYNN in 'VIRGINIA CITY' (Miriam Hopkins, Randolph Scott)— *You NEED* 'A CHILD IS BORN' (Geraldine Fitzgerald) — *You NEED* 'YEARS WITHOUT DAYS' (Garfield, O'Brien, Ann Sheridan) — *You NEED* 'BROTHER RAT AND A BABY' (Priscilla Lane, Jane Bryan, Eddie Albert, Wayne Morris)— *You NEED* ROBINSON in 'DR. EHRLICH'

You NEED

"FOUR WIVES"

For Xmas

The Sequel to 'Four Daughters'!
The same cast—but an even bigger story!

You NEED

WARNER BROS!

FREE
The Spirit of Xmas
Special Xmas Trailer!
Your theatre's holiday greeting!..
Order it today!

JACK L. WARNER, *In Charge of Production* · HAL B. WALLIS, *Executive Producer*

Our Neighbors the Exhibitors Praise F

"OUR NEIGHBOR

UNITED DETROIT THEATRES CORPORATION
Executive Offices
SIXTEENTH FLOOR — STROH BUILDING
DETROIT, MICH.
TELEPHONE CHERRY 4321

Operating the following Theatres:
MICHIGAN
UNITED ARTISTS
PALMS-STATE
FISHER
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RIVIERA
CINDERELLA
VARSITY
VENUS
RAMONA
NORWESTY
REGENT
ANNEX
ALGER
ROSEDALE
BIRMINGHAM

November 17, 1939

Paramount Pictures, Inc.
1501 Broadway,
New York, N. Y.

Dear Sirs --

Paramount's production of "OUR NEIGHBORS--THE CARTERS" is a welcome and impressive achievement to theatre audiences. Reactions at the Michigan Theatre here were splendid. The naturalness of the characters, the humanness of the story, and the excellent blending of humor, romance, and drama, make "OUR NEIGHBORS—THE CARTERS" an excellent triumph in entertainment for any audience in any theatre and a picture that will be discussed and remembered for months to come.

Sincerely,
E. J. Hudson



Fanchon & Marco
PARAMOUNT THEATRE BUILDING
Sixth and Hill Sts. Los Angeles, Calif.

November 17

Paramount Pictures, Inc.
Hollywood, Calif.

Dear Friends--

"OUR NEIGHBORS--THE CARTERS" played to a good weeks' business as a single feature with stageshow at the Paramount Theatre, Los Angeles, but more unusual than this, it is one of the few pictures that nearly everyone leaving the theatre seemed to delight in commenting favorably upon as they left.

Sincerely,
Marco

"Our Neigh

Paramount Pictures

with Fay Bainter • Fay
Genevieve Tobin and
Directed by Ralph Murphy • S

Our Neighbors the Critics

mount's

–THE CARTERS"



"Makes tears run down laugh creases in your face. Has a homey, lovable charm. The kind of story that could happen to the family next door, that's how close it is to you!" —*Jimmy Starr, Los Angeles Herald and Express*

"Vigorous entertainment, compelling drama, humor and pathos . . . superior acting. Touches upon problems which vitally affect millions of American Homes. Happy to tell my readers that they can't afford to miss it!" —*Richard Sheridan Ames, Rob Wagner's Script*

"A triumph of heart tugs and human appeal, offering one of the strongest and biggest ideas of that sort in recent years. Forceful and dramatic. Remarkably played by Frank Craven and Fay Bainter!" —*Edwin Schallert, Los Angeles Times*

"As fine a piece of entertainment of this sort as you would ever hope to get. Frank Craven is magnificent and Fay Bainter, as usual, is terrific." —*Hollywood Reporter*

"One of the strongest pictures the screen has given us in years. Audiences everywhere will be under obligations to Charles R. Rogers for giving them such a treat. A picture exhibitors should get behind with everything they have. It will steal the show!" —*Hollywood Spectator*

"Warm, human, appealing picture that should please!" —*Film Daily*

"Human interest and dramatic punch. Frank Craven—and characterization stacks up with the best of the year!" —*Dorothy Manners, Los Angeles Examiner*

-The Carters"

aven • Edmund Lowe

d by Charles R. Rogers

S. K. Lauren • A Paramount Picture

Paramount Pictures

MOTION PICTURE DAILY'S BOOKING CHART

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Oct. 20	Mr. Smith Goes to Washington *Jean Arthur James Stewart*	At the Circus *Marx Brothers*	Mutiny in the Big House Riders of Destiny Sagebrush Trail	Television Spy *William Henry Judith Barrett*			Pack Up Your Troubles *Jane Withers* Shipyard Sally *Gracie Fields Sidney Howard*		Oklahoma Frontier	Smashing the Money Ring *Ronald Reagan Rosella Towne*
Oct. 27	Beware Spooks *Joe E. Brown Mary Carlisle*	Bad Little Angel *Virginia Weidler*	Danger Flight Overland Mail *Jack Randall*	Disputed Passage *Dorothy Lamour Akim Tamiroff*	Jeepers Creepers *Weaver Bros. & Elviry*	Sued for Libel *Kent Taylor Linda Hayes*	20,000 Men a Year *Randolph Scott* The First World War	Housekeeper's Daughter *Joan Bennett Adolphe Menjou*	Little Accident *Baby Sandy*	The Roaring Twenties *James Cagney Priscilla Lane*
Nov. 3	The Stranger from Texas	Ninotchka *Greta Garbo Melvyn Douglas*	Heroes in Blue *Dick Purcell* Fighting Mad *James Newill*	Law of the Pampas *William Boyd Russell Hayden*	Main Street Lawyer *Edward Ellis Anita Louise*	Flying Deuces *Laurel & Hardy* Marshal of Mesa City *George O'Brien*	Heaven with Barbed Wire Fence *Jean Rogers*		Call a Messenger The Road Back Legion of Lost Flyers *Richard Arlen*	Kid Nightingale *John Payne Jane Wyman*
Nov. 10	Blondie Brings Up Baby *Penny Singleton*	Remember? *Robert Taylor Greer Garson*	The Phantom Strikes *Wilfred Lawson* Raiders Over England	Cat and the Canary *Bob Hope Paulette Goddard*	Rovin' Tumbleweeds *Gene Autry* The Covered Trailer *Gleason Family*	Allegheny Uprising *John Wayne Claire Trevor*	Drums Along the Mohawk *Henry Fonda Claudette Colbert*		First Love *Deanna Durbin* One Hour to Live *Doris Nolan*	Private Lives of Elizabeth and Essex *Bette Davis Errol Flynn*
Nov. 17		Another Thin Man *William Powell Myrna Loy*		Rulers of the Sea *Douglas Fairbanks, Jr.*	Saga of Death Valley *Roy Rogers*	Meet Dr. Christian *Jean Hersholt*	Too Busy to Work *Jones Family*		Tower of London *Basil Rathbone*	Dead End Kids on Dress Parade
Nov. 24	The Amazing Mr. Williams *Joan Blondell Melvyn Douglas*	Secret of Dr. Kildare *Lew Ayres Lionel Barrymore*	Roll, Wagons, Roll *Tex Ritter*	Our Neighbors, the Carters *Frank Craven Fay Bainter*		That's Right, You're Wrong *Kay Kyser Adolph Menjou*	Day-Time Wife *Tyrone Power Linda Darnell*		The Big Guy *Victor McLaglen Jackie Cooper*	We Are Not Alone *Paul Muni Jane Bryan Flora Robson*
Dec. 1	I Married Adventure *Osa Johnson* Cafe Hostess *Preston Foster Ann Dvorak*	A Call on the President *Ann Sothern Louis Stone*	Gentleman from Arizona *Craig Reynolds* Yukon Flight *James Newill*	Night of Nights *Pat O'Brien Olympe Bradna*	Cowboys from Texas *The Three Mesquiteers Carol Landis*	Reno *Richard Dix Gail Patrick*	City in Darkness *Sidney Toler* Inspector Hornleigh on Holiday		Laugh It Off *Johnny Downs Constance Moore*	Return of Dr. X *Humphrey Bogart Rosemary Lane*
Dec. 8	Fugitive at Large *Jack Holt* Taming of the West *Bill Elliott*	Henry Goes Arizona *Frank Morgan Virginia Weidler*	West of the Divide *John Wayne* Lucky Texan *John Wayne*	Llano Kid *Tito Guizar Gale Sondergaard*		Two Thoroughbreds *Jimmie Lydon Joan Brodel*	Barricade *Alice Faye Warner Baxter*		Man from Montreal *Richard Arlen Andy Devine*	Private Detective *Jane Wyman Dick Foran*
Dec. 15		Nick Carter—Master Detective *Walter Pidgeon Rita Johnson*	Four Just Men *Frank Lawton* Pioneer Days *Jack Randall*	All Women Have Secrets *Virginia Dale Joseph Allen, Jr.*	South of the Border *Gene Autry June Storey*		The Honeymoon's Over *Stuart Erwin Marjorie Weaver*		Missing Evidence *Preston Foster Irene Hervey*	The Mad Empress *Medea Novara Lionel Atwill*
Dec. 22	His Girl Friday *Cary Grant Rosalind Russell*	Judge Hardy & Son *Mickey Rooney Lewis Stone*	Westound Stage *Tex Ritter*	Gulliver's Travels *Lanny Ross Jessica Dragonette*	Money to Burn *Higgins Family*	Married and in Love *Barbara Read Alan Marshall*	Everything Happens at Night *Sonja Henie*	Send Another Coffin *Ruth Terry Pat O'Brien*	Charlie McCarthy, Detective *Edgar Bergen*	Four Wives *Lane Sisters Gale Paige*

Paramount Pictures

Book these PARAMOUNT SHORTS when you book your features!

NOVEMBER 17 Cinecolor UNUSUAL OCCUPATIONS #2

NOVEMBER 24 Headliner HERE'S HAL Hal Kemp and Orchestra

NOVEMBER 24 Grantland Rice Sportlight AQUA-RHYTHM

NOVEMBER 24 Symphonic Series WILLIAM TELL

100% BOX OFFICE tested

Minneapolis Gives 'Co-Ed' Good $16,500

MINNEAPOLIS, Nov. 23.—Best business getter in Minneapolis was "Dancing Co-ed," which, assisted by Spitalny band, got $16,500 at the Orpheum.

Estimated takings for the week ending November 16:

Minneapolis:

"Marshall of Mesa City" (RKO)
"The Day the Bookies Wept" (RKO)
ASTER—(900) (15c-25c) 7 days. Gross: $1,900. (Average, $1,500)
"Mr. Smith Goes to Washington"
CENTURY—(1,600) (25c-40c) 7 days, 2nd week. Gross: $6,800. (Average, $4,000)
"Champs Eylsees" (French)
ESQUIRE—(290) (25c-40c) 7 days. Gross: $700. (Average, $800)
"The Under Pup" (Univ.)
GOPHER—(990) (25c) 7 days. Gross: $3,500. (Average, $2,500)
"Covered Wagon Trailer" (Rep.)
MINNESOTA—(4,300) (20c-40c) 7 days. Milt Herth Trio and Eddie Peabody on the stage. Gross: $7,500. (Average, $6,000)
"Dancing Co-Ed" (M-G-M)
ORPHEUM—(2,900) (35c-50c) 7 days. Spitalny Band. Gross: $16,500. (Average, without stage show, $4,400)
"Disputed Passage" (Para.)
STATE—(2,300) (25c-40c) 6 days. Gross: $5,600. (Average, for week, $4,000)
"The Road to Glory" (20th-Fox)
WORLD—(400) (25c-55c) 7 days. Gross: $1,300. (Average, $1,600)

St. Paul:

"Dust Be My Destiny" (W. B.)
ORPHEUM—(2,000) (25c-40c) 7 days. Gross: $4,400. (Average, $3,200)
"Drums Along the Mohawk" (20th-Fox)
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $6,100. (Average, $4,400)
"All Quiet on the Western Front" (Univ.)
RIVIERA—(1,000) (25c) 7 days. Gross: $2,000. (Average, $1,800)
"The Day the Bookies Wept" (RKO)
"Everything's On Ice" (RKO)
TOWER—(1,000) (25c) 7 days. Gross: $2,100. (Average, $1,600)
"They Shall Have Music" (U. A.)
WORLD—(400) (25c-55c) 7 days, second week. Gross: $1,200. (Average, $700)

Churches Protest 'War Hate' Films

(*Continued from page* 1)

Atkins, executive secretary, adds: "Their emotion-stirring manner we regard as inconsistent with the letter and spirit of American neutrality."

The Council's committee indorsed a letter by Dr. Earle E. Eubank of the University of Cincinnati. It will be forwarded to the Hays office. It reads in part:

"Not only has Congress gone sternly on record as desiring to keep the United States out of the war, but so far at least it has been the overwhelming sentiment of the people as well.

"In spite of this, our movie theatres are already beginning to show a number of pictures . . . whose effect, however good the intention, can only serve to stir up among our people hatred, the war spirit which can easily become soil for pro-war propaganda a little later.

"We are relying on you, Mr. Hays, to exert your influence in behalf of maintaining peace."

Buys Goldwyn Story

HOLLYWOOD, Nov. 23.—In an unusual deal Wednesday, Twentieth Century-Fox purchased the story, "The Sweetheart of Turret One," from Samuel Goldwyn and the services of Screen Writer Niven Busch and of Jon Hall who will star in the picture.

New York Review

"Beasts of Berlin"

(Producers Pictures)

In the sense that this picture, which was banned by the New York State censor and then approved on appeal, is a biting indictment of the Hitler Nazi regime in Germany, it is propaganda. At the same time, it is not of the documentary variety, but straight-forward dramatic material, ably executed and for the most part performed with commendable ability.

The story emphasizes the activity of the underground movement in Hitler's Germany, striving by devious methods to awaken the people to fight for the freedom of though and action which has been crushed under the dictator's heel. Roland Drew, a leader of the movement, is excellent, and is effectively supported by Steffi Duna as his wife, Allan Ladd, Greta Granstedt, and Vernon Dent in particular.

Sherman Scott, who directed from a screenplay based on a story by Shepard Traube, handled his material for the maximum effect. Drew, unable to escape the vigilance of the Gestapo, is thrown into a concentration camp, along with several of his fellows in the movement. Finally able to make his escape, he joins his wife in Switzerland, and there plans to carry on the work for freedom in Germany.

His arrest and incarceration in the camp afford an opportunity, heavily stressed, to picture the fierce brutality of the Nazi police and jailers. Obviously, the picture is highly exploitable material.

Running time, 84 minutes. "A."* CHARLES S. AARONSON

**"A" denotes adult entertainment.*

Kemp and 'Cat' Philadelphia's Best, $22,000

PHILADELPHIA, Nov. 23.—"The Cat and the Canary" at the Earle, with Hal Kemp and his orchestra on the stage, was tops here with $22,000. "The Housekeeper's Daughter" drew $13,500 at the Aldine. "The Private Lives of Elizabeth and Essex" earned $16,600 in its second week at the Boyd.

Estimated takings for the week ending Nov. 16:

"The Housekeeper's Daughter" (U. A.)
ALDINE—(1,700) (32c-42c-57c) 7 days. Gross: $13,500. (Average, $8,000)
"Eternally Yours" (U. A.) (4 days)
$1,000 a Touchdown" (Para.) (3 days)
ARCADIA—(600) (32c-42c-57c) "Eternally Yours" 2nd run. Gross: $2,000. (Average, 7 days, $2,600)
"The Private Lives of Elizabeth and Essex" (W. B.)
BOYD—(2,400) (32c-42c-57c) 7 days, 2nd week. Gross: $16,600. (Average, $12,000)
"The Cat and the Canary" (Para.)
EARLE—(2,400) (32c-42c-57c-68c) 6 days (closed Sudays). Stage: Hal Kemp and his orchestra, the Smoothies, Rufe Davis. Gross: $22,000. (Average, $16,000)
"First Love" (Univ.)
FOX—(3,000) (32c-42c-57c) 8 days. Gross. $15,700. (Average, 7 days, $13,000)
"The Roaring Twenties" (W. B.)
KARLTON—(1,000) (32c-42c-57c) 9 days, 2nd run. Gross: $5,200. (Average, 7 days, $3,000)
"Babes in Arms" (M-G-M)
KEITH'S—(2,200) (32c-42c-57c) 8 days, 2nd week, 2nd run. Gross: $3,900. (Average, 7 days, $3,500)
"Drums Along the Mohawk" (20th-Fox)
STANLEY—(3,700) (32c-42c-57c) 7 days, 2nd week. Gross: $11,700. Average, ($14,000)
"The Dead End Kids on Dress Parade" (W. B.)
STANTON—(1,700) (26c-32c-42c) 7 days. Gross: $7,100. (Average, $4,500)

Schwalm Daughter Dies

HAMILTON, O., Nov. 23.—Margaret Schwalm, 15, daughter of James Schwalm, assistant manager of the Rialto, Northio unit, died in Mercy Hospital following a nine weeks' illness.

'First Love' Hits $12,000 In Pittsburgh

PITTSBURGH, Nov. 23. — "Drums Along the Mohawk" and "First Love" vied for top honors, the first taking $13,000 at the Harris Alvin, and the second $12,000 at the Fulton.

Estimated takings for the week ending Nov. 16:

"Drums Along the Mohawk" (20th-Fox)
ALVIN — (1,900) (25c-35c-50c) 7 days. Gross: $13,000. (Average, $8,000)
"Hero for a Day" (Univ.)
"The Road Back" (Univ.)
FULTON — (1,700) (25c-40c) 4 days. Gross: $2,000. (Average, 7 days, $5,000)
"First Love" (Univ.)
FULTON — (1,700) (25c-40c) 7 days. Gross: $12,000. (Average, $5,000)
"Jamaica Inn" (Para.)
LOEW'S PENN—(3,600) (25c-35c-50c) 6 days. Gross: $10,500. (Average, 7 days, $13,000)
"Mr. Smith Goes to Washington" (Col.)
SENATOR—(2,000) (25c-40c) 7 days, 3rd week. Gross: $6,000. (Average, $3,600)
"Honeymoon in Bali" (Para.)
STANLEY—(3,600) (25c-35c-50c) 7 days. Gross: $10,000. (Average with stage show, $17,000)
"Alegheny Uprising" (RKO)
WARNER—(2,000) (25c-35c-50c) 6 days, 2nd week. Gross: $4,500. (Average, 7 days, $5,000)

Sign Fredric March

HOLLYWOOD, Nov. 23.—Metro today signed Fredric March to play opposite Greer Garson in "Susan and God" which George Zukor will direct and Hunt Stromberg will produce. Paramount will team Paulette Goddard and Bob Hope in "The Ghost Breakers." Elliott Nugent will direct and Arthur Hornblower, Jr., will produce.

Warner Party Today

NEW HAVEN, Nov. 23.—The Warner Club here will hold its annual informal fall dinner-dance at Baybrook Inn tomorrow.

'Smith' Smash Chicago Hit, With $16,600

CHICAGO, Nov. 23. — "Mr. Smith Goes to Washington" at the Apollo hit a record $16,600, a terrific gross for this house. Business elsewhere in the Loop was fair.

Estimated takings for the week ending Nov. 15-18:

"Mr. Smith Goes to Washington" (Col.)
APOLO—(1,400) (25c-55c-75c) 7 days. Gross: $16,600. (Average, $6,000)
"Honeymoon in Bali" (Para.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Joe E. Brown in person and revue. Gross: $26,000. (Average, $32,000)
"Roaring Twenties" (W. B.)
GARRICK—(900) (35c-40c-65c) 7 days, 2nd week. Gross: $4,100. (Average, $5,000)
"Blackmail" (M-G-M)
"Made For Each Other" (RKO)
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $14,100. (Average, $13,000)
"Full Confession" (RKO)
"First Love" (RKO)
PALACE—(2,500) (35c-55c-75c) 7 days, 2nd week. Gross: $10,000. (Average, $12,000)
"Jamaica Inn" (Para.)
ROOSEVELT—(1,300) (35c-55c-75c) 7 days. Gross: $9,800. (Average, $11,000)
"Nancy Drew and the Hidden Staircase" (W. B.)
STATE LAKE—(2,700) (25c-35c-40c) 7 days. Stage: "Hellzafire" Revue. Gross: $15,800. (Average, $12,000)
"The Real Glory" (U. A.)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 2nd week. Gross: $10,200. (Average $14,000)

'Mr. Smith' Garners $4,400, New Haven

NEW HAVEN, Nov. 23.—"Mr. Smith Goes to Washington" and "Stop, Look and Love" grossed $4,400 in the second week at the College.

Estimated takings for the week ending Nov. 17:

"Mr. Smith Goes to Washington" (Col.)
"Stop, Look and Love" (20th-Fox)
COLLEGE—(1,499) (35c-50c) 7 days, 2nd week. Gross: $4,400. (Average, $2,700)
"Drums Along the Mohawk" (20th-Fox)
"Too Busy to Work" (20th-Fox)
LOEW-POLI—(3,040) (35c-50c) 7 days. Gross: $9,500. (Average, $8,000)
"Disputed Passage" (Para.)
"Zenobia" (U. A.)
PARAMOUNT—(2,348) (35c-50c) 7 days. Gross: $4,800. (Average, $4,000)
"Private Lives of Elizabeth and Essex" (W. B.)
"Kid Nightingale" (W. B.)
ROGER SHERMAN—(2,200) (35c-50c) 7 days. Gross: $6,400. (Average, $5,000)

'Drums' Cleveland Leader at $13,000

CLEVELAND, Nov. 23. — "Drums Along the Mohawk". at Warner's Hippodrome was the leader here, grossing $13,000, while "Nurse Edith Cavell," aided by Constance Bennett on the Palace stage attracted a good $15,000.

Estimated grosses for the week ending Nov. 16:

"The Roaring Twenties" (W. B.)
ALLEN—(3,000) (30c-35c-42c) 7 days, 2nd week. Gross: $4,000. (Average, $4,000)
"Drums Along the Mohawk" (20th-Fox)
WARNER'S HIPPODROME — (3,800) (30c-35c-42c) 7 days. Gross: $13,000. (Average, $11,000)
"Nurse Edith Cavall" (RKO)
RKO PALACE—(3,100) (30c-42c-55c) (7 days, Constance Bennett on stage. Gross: $15,000. (Average, $14,000)
"Remember" (M-G-M)
LOEW'S STATE—(3,500) (30c-35c-42c) 6 days. Gross: $9,000. (Average, 7 days, $11,000.
"Jamaica Inn" (Para.)
LOEW'S STILLMAN—(1,900) (30c-35c-42c) 6 days, 2nd week. Gross: $3,500. (Average, 7 days, $4,000)

Erpi and RFC Loans for GN Slated Today

Earle W. Hammons will meet today with T. Kennedy Stevenson, president of Erpi, and John Ahearn, head of the New York office of the Reconstruction Finance Corp., to complete arrangements on a scheduled loan of $450,000, Hammons stated at a hearing on the proposed reorganization of Grand National Pictures Inc. before Referee Peter B. Olney Jr. on Wednesday.

Hammons announced the meeting in response to a declaration by Joseph Dannenberg, attorney for creditors, that he had received a communication from the RFC which stated that commitments had been canceled on Nov. 9 and that any new application for a loan would be considered under the rules of the RFC and treated similarly to that made "by any other corporation."

Creditors at the hearing elected Harry Fromberg, attorney, as a tentative trustee for the company. Fromberg will not qualify unless the plan fails and liquidation becomes necessary. At the same time creditors chose Thomas J. Shanahan, Richard F. Walsh, vice-president of the I.A.T.S.E.; Hap Hadley, Henry Waldman, Allen E. Freedman, president of De Luxe Laboratories, and Samuel Sedran to act as a creditors' committee. This committee, under the Referee's directions, will examine records of Grand National and consider the fairness and the feasibility of the plan

An examination of the company's books have disclosed a loss of $800,000 for the past year, A. Jesse Goldstein, creditors' accountant, told Referee Olney. Operating losses since the company filed its petition have averaged at least $4,000 weekly, he continued. Moreover, trademarks originally valued in the books at $12,156 were boosted to $1,060,922 in the schedules, Goldstein declared.

Home Office Chiefs Flocking to Coast

(*Continued from page* 1)

Einfeld, Warner vice-president and advertising-publicity director, leaves New York Friday.

Nate Blumberg, president of Universal, is expected Monday for the purpose of completing production details in respect for the remainder of films for 1939-'40 release.

These conferences are starting here earlier than usual this year, due to the far-advanced production status at the studios.

Grainger Will Visit Coast Next Month

James R. Grainger, president of Republic Pictures, will leave early next month on a tour of exchanges and a visit to the studio. He plans to be gone five weeks, during which he will spend the Christmas holidays in Los Angeles.

H. J. Yates leaves for the Coast today and will spend about three weeks at the Republic studio where "Dark Command," a big budget film, went into production this week under the direction of Raoul Walsh.

Loew's Frolic Rewards 400 For Fighting Summer Slump

Four hundred persons joined hands in a spirit of gayety as the Loew's theatre organization of New York played host to its managerial staff, plus the wives and sweethearts, at a beefsteak dinner and dance in the Starlight Roof of the Waldorf-Astoria last night.

The affair, given as a tribute to the theatre staffs for helping to lick the Summer slump, drew such notables as Nicholas M. Schenck, C. C. Moskowitz, J. R. Vogel, Leopold Friedman, W. F. Rogers, Marvin Schenck, Oscar A. Doob, Eugene Picker, H. J. Cleary, Joel Levy, J. T. Mills, Harry Moskowitz and others from the home office group.

Those who attended:

Mr. and Mrs. Jack Abrams, Wade Ackerman, Fritzi Lempert, Nat Adelson, Mr. and Mrs. Archie Adlman, Mr. and Mrs. George Ahrens, John Alexis, Mr. and Mrs. William Anelante, Teddy Arnow, Debbe Fishman.

Mr. and Mrs. Dominic Barreca, Mr. and Mrs. Larry Beatus, Mr. and Mrs. Joseph Beck, Mr. and Mrs. Sam Bennis, Mr. and Mrs. Charles Bentley, Nathan Bernstock, Allie Bernstein, Harry Bernstein, Mr. and Mrs. Henry Beutel, Jack Blum, Mr. and Mrs. Richard Bosch, Harry Brown, Florence Chasen, Mr. and Mrs. Edward Brunner, Mr. and Mrs. James Bruno, Edward Burke, Gloria Lyall, Mr. and Mrs. Charles Burns, Sidney Burrell, Connie MacDonald.

William Carroll, Irene Ware, Mr. and Mrs. Joseph Citron, H. J. Cleary, Ann Ball, Leo Cohen, Barbara Beech, Mr. and Mrs. Sam Coolick, Ed Corbett, Geraldine Moran, Mr. and Mrs. Edward W. Corbett, Mr. and Mrs. Frank Cronin, John Cusack.

George Daniels, B. Stollerman, Richard Dann, Lola Barreca, Jerry DeRosa, Mr. and Mrs. Frank Doherty, Mr. and Mrs. Herman Dolinsky, Mr. and Mrs. Oscar A. Doob, Bessie Dove, Ed Douglas, Mr. and Mrs. Eddie Dowden, William Downs, Mr. and Mrs. George Dumond.

Mr. and Mrs. Arthur Egberts, Mr. and Mrs. Jay Eisenberg, Anna Ellmer, Al Simon, Mr. and Mrs. Ernest Emerling, Mr. and Mrs. Joe Epstein, George Erkman, Joreen La Barbara, Mr. and Mrs. Harvey Everett.

Mr. and Mrs. Louise Falk, Bernard Feinberg, Mr. and Mrs. Charles Ferguson, Jack Fieman, Mr. and Mrs. James Finnin, Mr. and Mrs. Carl Fishman, Mr. and Mrs. Clark Forrest, Mr. and Mrs. Irwin Fredlyn, Mr. and Mrs. Alex Frey, Mr. and Mrs. Dave Friedlander, Mr. and Mrs. Leopold Friedman, Mr. and Mrs. Sam Fromson, Mr. and Mrs. Clyde Fuller, Jr.

Jerry Goldstein, Dorothy Lipman, Mr. and Mrs. Frank Goodale, Mr. and Mrs. James Grady, Mr. and Mrs. Kenneth Gratten, I. H. Greenfield, Frances Proskauer, Mr. and Mrs. Len Grotte, Mr. and Mrs. Albert Gutterman.

Mr. and Mrs. Frank Handley, Mr. and Mrs. Daniel Harris, Jack Harris, Trudy Burke, Mr. and Mrs. Robert Harris, C. F. Harrison, Mr. and Mrs. Doug Helgerson, Arthur Herschmann, Gladys Zucker, Mr. and Mrs. Walter Hieber, Mr. and Mrs. Steve Hudson.

Mr. and Mrs. Allen Isaacs, Lester Isaacs, June Glossberg, Dan Jacobson, Rita Jacobs, Mr. and Mrs. John Judge, Leon Kamern, Henrietta Kamern, Sidney Kane, Hilma Bergman, Mr. and Mrs. George Kann, Abe Kaplan, Mrs. Fanny Kaplan Makransky, Mr. and Mrs. Sam Kaplan, Mr. and Mrs. Harry F. Karasik, Mr. and Mrs. Bert Kenny, Robert Kilgore, Ethel Kennedy, Mr. and Mrs. George Kirby, Eddie Knapp, Evelyn Behr, Mr. and Mrs. James J. Kolbeck, Louis Kramer, Belle Wecker.

Mr. and Mrs. Herman Landwehr, Mr. and Mrs. Howard La Nocc, Phillip Laufer, Etta Shore, Mr. and Mrs. Al Leffler, Murray Lenekoff, Mrs. Louise Leonard, Mr. and Mrs. Salli Levi, Howard Levy, Betty Farber, Mr. and Mrs. Joel Levy, Manny Light, Mr. and Mrs. Edmund Linder, Mr. and Mrs. Al Lippe, Henry Loew.

Mr. and Mrs. Harold MacMahon, Gilbert Marbe, Fay Marbe, Mr. and Mrs. Stanley Marks, Mr. and Mrs. Charles Mayer, Leonard Mayer, Evelyn Miller, Seymour Miller, Mrs. Rae Mayer, Mr. and Mrs. Samuel Meinhold, Mr. and Mrs. Eugene Meyers, J. T. Mills, George Miner, Mr. and Mrs. Fred Mitchell, Mr. and Mrs. Walter Mock, Mel Morgenstern, Helen Morris, Charles C. Moskowitz, Harry Moskowitz, Mr. and Mrs. Charles Moss, John Murphy, Mrs. Elizabeth Murphy, Paul Murphy, Lillian Murphy.

Joseph Nannerello, Florence Nannerello, Robert Nashick, Mr. and Mrs. John Natoli, Wilbur Neustein, Jean Mentkow, Mr. and Mrs. Ben Newman, Grace Niles, Paul Gilgar, Mr. and Mrs. William Nitschke, Mr. and Mrs. M. D. O'Brien, Edward O'Connor, Marie Shannon, John O'Connor, May Murphy.

Phyllys Paige, Robert Rhodes, Sam Pearlman, Florence Rombough, Mr. and Mrs. Percy Pierce, Mr. and Mrs. William Phillips, Mr. and Mrs. Gene Picker, Sidney Pierpont, Mr. and Mrs. Leonard Pollack, Mr. and Mrs. Ely Porter, George Powell, Mr. and Mrs. Harold Privalle.

Tom Rogers, Nancy Hughes, Mr. and Mrs. Sam Rose, Mike Rosen, Florence Rosen, Harry Rosenbaum, Ruth Horne, Mr. and Mrs. Martin Rosenburgh, Mr. and Mrs. Herman Rosenthal, Bert Rothchild, Gladys Reinheimer, Mr. and Mrs. Joseph Rubenfeld, Mr. and Mrs. George Ruggles.

Jarry Sager, Ruth Snider, Mr. and Mrs. Lawrence Samuels, Mr. and Mrs. Marvin Schenck, Mr. and Mrs. Nicholas M. Schenck, David Schiller, Mr. and Mrs. Irving Schlossberg, Mr. and Mrs. Arthur Schmidt, Mr. and Mrs. Herbert Schoenhof, Edward Schwartz, Vivian Martyka, Mr. and Mrs. Irving Schwartz, Mr. and Mrs. Sig Schwartz, Robert Seckels.

Mr. and Mrs. Maurice Seidlitz, Mr. and Mrs. Isaac Seldner, Walter Seligman, Rosalind Seligman, Benjamin Serkowich, Mr. and Mrs. Henry Shamp, George Sharf, Terry Lipman, Mr. and Mrs. Murray Sharf, James Shepard, Maria Touchton, Mr. and Mrs. Leon Sidosky, Norman Siegel, Estelle Ellis, Mr. and Mrs. Arnold Siegel, Herman Silver, Gloria Tolmach, Mr. and Mrs. Ben Simon.

Mr. and Mrs. W. Simon, Raymond Simons, Nat Slater, Mr. and Mrs. Charles Sonin, Mr. and Mrs. Harry Spivak, Larry Stark, Mr. and Mrs. Joseph Stica, Mr. and Mrs. William H. Stillmen, Mr. and Mrs. Sig Strauss, Mr. and Mrs. Sid Stromberg, Mr. and Mrs. Louis Suess, Paul Swater, Anastacia Poseski.

Mr. and Mrs. Martin Waldman, Mr. and Mrs. William Weigand, Mr. and Mrs. Al Weis, Mr. and Mrs. Harry Weiss, Irving Wilbur, Sylvia Abbott, Mr. and Mrs. Max Wolff, William Woolfolk, Bernard Zelenko, Harold Zeltner, June Barreca.

RKO Offer Awaits High Court Ruling

(*Continued from page* 1)

yond the expected time, the underwriting offer may be made, notwithstanding. This belief is based on clarification of the foreign situation through the announcement on Wednesday of Britain's wartime financial regulations for the film industry, which made apparent, to a large degree, the future status of the foreign market.

The underwriting offer, prior to the filing of the Cassel & Co. Supreme Court appeal, had been expected by the middle of this month.

Chicago Seeks Bioff Arrest in 1922 Case

(*Continued from page* 1)

all time, no attempt was made to revive this charge.

"It is also significant that on the very day—Friday—when a showdown comes between the unions and the producers the warrant is supposed to arrive from Chicago. Anybody who wishes to analyze these facts can readily see the injustice of the situation.

"However, if my enemies think they can intimidate me by dirty politics of this sort, they have another guess coming."

Bioff's role in the wage negotiations will not be changed despite a warrant, A. F. of L. officials announced.

Metro to Send 60 to Chicago 'Wind' Parley

About 60 will attend M-G-M's midseason sales meeting in Chicago tomorrow and Sunday, at which time the sales policy on "Gone With the Wind" will be the chief topic of discussion. William F. Rodgers, general sales manager, will preside.

In addition to home office executives, district heads and branch managers, Al Lichtman and Fred C. Quimby, short subjects manager, will attend from the Coast. Selznick International, producer of "Gone With the Wind," will be represented by David O. Selznick and Lowell V. Calvert, Eastern representative.

Delegations from Charlotte, Washington, Philadelphia and New Haven arrive here today and will leave for Chicago tonight with the New York contingent. Boston and Albany representatives will board the train at Albany en route. The general meeting, at the Drake Hotel, will end Sunday night with a dinner. Group meetings will be held Monday and delegates will leave Chicago that night.

Representing the home office, in addition to Rodgers, will be T. J. Connors, Edward Saunders, Alan F. Cummings, Edwin Aaron, Howard Dietz, Si Seadler, William Ferguson, J. S. MacLeod and M. L. Simons. Henry L. Nathanson, general manager of Regal Films, Toronto, is also expected.

District managers attending include E. K. O'Shea, New York; M. N. Wolf, Boston; Charles E. Kessnich, Atlanta; J. J. Maloney, Pittsburgh; G. A. Hickey, Los Angeles; J. E. Flynn, Detroit, and H. P. Wolfberg, Kansas City.

The following branch managers will be present: Jack Bowen, New York, and Ben Abner, New Jersey manager; Robert Lynch, Philadelphia, and S. E. Applegate, sales manager; Ralph Pielow, Albany; Robert Avey, Atlanta; J. P. Byrne, Boston; R. W. Maw, Buffalo; B. H. Rosenwald, Charlotte; W. E. Banford, Chicago; E. M. Booth, Cincinnati; F. D. Drew, Cleveland; Louis Bickel, Dallas.

H. A. Friedel, Denver; D. C. Kennedy, Des Moines; F. J. Downey, Detroit; W. W. Willman, Indianapolis; F. C. Hensler, Kansas City; C. T. Lynch, Los Angeles; J. F. Willingham, Memphis; S. Shurman, Milwaukee; W. H. Workman, Minneapolis; T. J. Donaldson, New Haven; C. J. Briant, New Orleans.

W. B. Zoellner, Oklahoma City; H. J. Shumow, Omaha; Burtus Bishop, Pittsburgh; Louis Amacher, Portland; J. X. Quinn, St. Louis; S. J. Gardner, Salt Lake City; L. C. Wingham, San Francisco; M. Saffle, Seattle, and Rudy Berger, Washington.

Friedman to London

Joseph Friedman, Columbia's managing director in England, who has been visiting in New York, plans to leave next week for London, probably by transatlantic plane. Over the weekend Friedman will visit relatives in Montreal.

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 103 NEW YORK, U. S. A., MONDAY, NOVEMBER 27, 1939 TEN CENTS

Studios Give Wage Boost, Avert Strike

Will Demand Surrender Of Increase Feb. 15

HOLLYWOOD, Nov. 26.—A general strike paralyzing studio production and forcing scores of theatres to close in key cities was averted Saturday as producers, after adamantly refusing to grant demands for a 10 per cent wage increase, finally capitulated.

The wage boost, retroactive to Oct. 10, will affect approximately 23,000 workers. It will expire on Feb. 15 when the salary question will be revived.

Twenty leaders of various American Federation of Labor studio craft unions were in the midst of a conference making preparations for calling the nation-wide strike when word reached them that producers were willing to sanction a "temporary" wage increase.

Retroactive to Oct. 10

After a secret meeting of the producers' negotiating committee in the office of Nicholas M. Schenck, chairman, the following letter was transmitted to William Bioff, I.A.T.S.E. leader and chairman of the A. F. of L. Studio Union Conference:

"In order to avert a strike in the motion picture industry we make the following proposal in response to your demand for a 10 per cent increase in the basic wage rate of the crafts represented by you.

"We herewith agree to a 10 per cent wage increase effective as of Oct. 10, 1929.

"We have endeavored to point out to you that the conditions confronting the industry are such as to make it impractical to grant any wage increase at the present time. We particularly pointed out to you the losses and curtailments of our business occasioned by the war in Europe.

"Retrenchment Necessary"

"We have asked for an opportunity to show you that a wage increase at this time was impractical and that retrenchment was necessary.

"On or about Feb. 15, 1940, you will give us an opportunity to show you the condition of the industry makes a continuation of the wage increase impractical and further to show you that we have taken every possible step within our power to regulate our business so as to make it possible to continue without recalling this wage increase. If we convince you that the conditions are such that the wage in-

(Continued on page 3)

Mexico Repeals 4% Money Export Tax; Benefits U. S. Films

By JAMES LOCKHART

MEXICO CITY, Nov. 26.—American film interests here are elated over the repeal by President Lazaro Cardenas of the absentee tax of four per cent on all money exported from Mexico. The tax has been in effect for the past five years.

The President's repeal of the tax will be effective Monday. It is estimated in film circles here that the repeal will save distribution interests at least $100,000 annually.

It was indicated here recently that repeal had not been expected this year, although Congress already had approved abolition of the levy, since President Cardenas had been away on a trip and was not expected to act in the matter until January.

Catholics to Renew Film Decency Vow

WASHINGTON, Nov. 26.—The Legion of Decency pledge not to attend motion pictures considered objectionable by the National Legion of Decency, will be renewed in all Catholic churches in the country on Sunday, Dec. 10.

The annual report of the Episcopal Committee on Motion Pictures by the National Catholic Welfare Conference

(Continued on page 3)

M-G-M TO ASK 70% GROSS FOR 'WIND'

Sets Sales Policies, Sees $10,000,000 Yield; General Release Due in Fall of 1940

CHICAGO, Nov. 26.—In aiming for a domestic gross of at least $10,000,000 on "Gone with the Wind," Metro-Goldwyn-Mayer not only is asking terms of 70 per cent of the gross from exhibitors, but plans also to negotiate multiple simultaneous bookings of the picture, for nearly an entire year, at advanced admission prices in selected sections of the country. The picture may not reach general release until September, 1940.

The increase in admission scales may amount to as much as 33⅓ per cent in some centers and even as much as 100 per cent in others, in order to assure a sizeable profit to exhibitors.

M-G-M has established a minimum admission price of 75 cents for morning and afternoon performances and $1.10 for evenings. It is planned to have a minimum of $1.65 for loges.

This much was revealed today at a two-day conference of company chieftains, sales heads and district and branch managers of the company, held especially to formulate selling plans on the picture. Among higherups in attendance are Al Lichtman, William F. Rodgers, E. M. Saunders and Tom Connors. The conference closes tomorrow.

Seeks 70% of Gross

That M-G-M is asking for 70 per cent of the gross on "Gone with the Wind" was exclusively revealed Friday in MOTION PICTURE DAILY.

The company's foreign sales plan on the picture is still in abeyance. Arthur Loew heads that phase.

These M-G-M terms are the highest ever asked for a picture. The nation-wide debut of the film on the herein described scale will occur in the third week in January.

M-G-M officials consider this David Selznick production to be the greatest picture ever made, and already it is arousing a public interest never enjoyed by any previous film.

Cost $3,800,000 to Make

"Gone with the Wind" cost $3,800,000 to make. Prints will cost an additional $1,000,000. About $250,000 is to be spent in advertising the picture.

Wherever the picture will be shown on an unreserved seat basis it will have three performances daily, with a 30-minute intermission between shows.

This half-hour intermission, according to William F. Rodgers, general sales manager of the company, is for the purpose of enabling the theatres to realize the fullest attendance turnover.

He also revealed that in some cities

(Continued on page 3)

Holiday Weekend Booms Broadway

A Thanksgiving weekend business far ahead of previous years was recorded at most of the Broadway houses during the past four days.

The holiday on Thursday produced unusual grosses all along the street and Friday's business kept pace. From the standpoint of attendance, Friday exceeded Thanksgiving Day, but holiday prices made Thursday the bigger day with respect to grosses.

School children, who were enjoying a four-day holiday, were present in large numbers. Out-of-town visitors also were much in evidence in the long lines in front of theatres. The Music Hall, with "Ninotchka" and a holiday stage show, drew the

(Continued on page 3)

British Film Policy Very Pleasing To U. S. Interests

By AUBREY FLANAGAN

LONDON, Nov. 26.—The British Government statement on remittance of revenue by American distribtution interests, as disclosed by Oliver Stanley, president of the Board of Trade, is highly gratifying to American interests here.

The abolition next March of the quota sections of the Films Act provides complete liberty of operation removing footage and cost stipulations and permits greater freedom in production, while retaining the quota principle. The furtherance of voluntary production now has been returned to independent producers, it is believed.

British producers, meanwhile, elated over the several months' grace, are rushing production plans in the hope of quota contracts.

Exhibitors, although skeptical, are grateful for Stanley's promise on rental and product guarantees. However, they are understood to be disappointed over the lack of a film commission and the absence of provisions against foreign property investments.

British producers handling American product will meet with the Board of Trade this week. It is believed that they will be allowed to retain 50 per cent of the revenues derived from foreign films.

Balaban Explains Hopes of British Production

Paramount may not resume production in England if the company's future revenue there is insufficient to build up a financial reserve in that country, Barney Balaban, Paramount

(Continued on page 3)

Purely Personal

AL LICHTMAN is due here tomorrow.

•

DR. and MRS. J. B. FISHMAN and MR. and MRS. ABE FISHMAN of the Fishman Theatre circuit, New Haven, attended the Toscannini broadcast at the NBC studios in New York Saturday.

•

FRANK CHRISTIE, head booker for Hamrick-Evergreen theatres in Seattle, has married BETTY PRITCHARD, also associated with the Hamrick-Evergreen offices.

•

ROBERT TAYLOR and BARBARA STANWYCK saw the U. S. C.-Notre Dame football game at South Bend, Ind., Saturday and are proceeding to the Coast.

•

JOSEPH FRIEDMAN, managing director of Columbia's London office, is scheduled to leave for Europe Wednesday on the *Atlantic Clipper*.

•

ARMANDO BURATTI, Italian opera conductor and well-known voice coach for Italian motion picture stars, is in New York from Milan.

•

MAY ROBSON is due in New York early this week from the Coast for a visit with her great-grandson at Bayside, Long Island.

•

EDWARD SAUNDERS, M-G-M Western division manager, will start a two-week field trip tomorrow from Chicago.

•

HERB MORGAN of M-G-M shorts department, returns from Boston today.

•

JERRY KEYSER of Warners, celebrates a birthday tomorrow.

Phoenix Celebrates As 'Geronimo' Opens

PHOENIX, Ariz., Nov. 26.—Paramount's "Geronimo" opened last night at the Orpheum, concluding a three-day "Valley of the Sun Celebration," with Gov. Robert T. Jones as official host.

Hollywood celebrities in attendance included: Preston Foster, Kitty Kelly. Chief Thunder Cloud, who appear in the film; Paul H. Sloane, director, and Patricia Morrison, Robert Preston, J. Carrol Naish, William Frawley and Joseph Allen, Jr.

Additional showings were held yesterday in Tucson and Safford, Ariz. Mayors of 31 Arizona cities and other officials of the state attended.

Norton Has English Plan for Production

LONDON, Nov. 26.—Capt. Richard Norton has presented to the Cinematograph Exhibitors Association a plan for exhibitors calling for guaranteed production.

He would make the films if he were guaranteed minimum rentals and playdates, thus permitting him to arrange financing. Discussion has been deferred until later this week.

U.A. Theatre Circuit Annual Meet Today

Stockholders of United Artists Theatre Circuit, Inc., are expected to reelect the present board of directors at the annual meeting today in Baltimore.

Directors are: Harry D. Buckley, A. H. Frisch, Joseph H. Moskowitz, Bertram S. Nayfack, Dennis F. O'Brien, Willard V. King, William P. Philips, Joseph M. Schenck and Lee Shubert.

The directors are expected to meet in a few days to reelect all officers, who include Schenck, president and chairman of the board; Shubert and O'Brien, vice-presidents; Philips, vice-president and treasurer; Nayfack, secretary, and A. M. Georger, comptroller.

The circuit reported net income of $138,811.93 after all charges for the year ended Aug. 31, 1939, which compares with net of $148,743.37 for the year ended Aug. 31, 1938.

The net before deducting interest, depreciation, amortization and provision for Federal income taxes was reported at $509,134.77. The latter figure included proportion of profits of affiliated companies less than 100 per cent owned, paid in dividends during the year to the parent company, amounting to $137,691.22.

Warner Club Yule Party for Children

The annual Warner Club Christmas party for the children, nieces and nephews of Warner Bros. metropolitan employees will take place Saturday afternoon, Dec. 16, at the Warner Vitaphone studios in Brooklyn.

Entitled "Santa Claus at the Circus," the show will consist of a gala performance on the mammoth sound stage No. 4 of the studio which will be converted into a one ring circus.

The committee in charge of arrangements includes Ralph Budd, Harry Mayer, Harold Rodner, S. S. Schneider, Jules Levey, Max Blackman, Stuart Aarons, Robert Salomons, Irving Birnbaum and Nat Fellman, president of the Warner Club.

Associates Frolic At Annual Party

George Jessel, Benny Goodman, Louis Armstrong, Tony Martin, Nick Kenny and Lionel Stander were among those who entertained at the annual dinner-dance of the Motion Picture Associates at the Hotel Astor Saturday night.

The program also included part of the cast of "Swingin' the Dream," which opens Wednesday at the Center Theatre. Ben A. Boyar arranged the program. William Stanley Sims was master of ceremonies.

Dance music for about 500 was provided by Herbie Steiner and his orchestra and a marimba band. Proceeds of the frolic, together with revenue from the Associates' annual journal, will finance welfare activities.

Garyn Closes Deals

DALLAS, Nov. 26.—Pat Garyn of Texas Film Co. has closed a deal with Robb & Rowley United Theatres, Inc., for the Herbert Wilcox production, "Torpedoed." Interstate Circuit has closed for "Crisis," handled by Texas Film Co.

Paramount Names All-American Team

Paramount News, in the weekend issue, offered its All-American selections for the 1939 football season as follows:

Ends, Dave Rankin, Purdue; Esco Sarkkinen, Ohio State; Tackles, Nick Drahos, Cornell; Harley McCollum, Tulane; Guards, Bob Suffridge, Tennessee; Harry Smith, Southern California; Center, Johnny Schiechl, Santa Clara; Quarterback, George Cafego, Tennessee; Halfbacks, Banks McFadden, Clemson, Niles Kinnick, Iowa; Fullback, John Kimbrough, Texas A. & M.

Fox Chiefs to Set Program for '40-'41

Executives of 20th Century-Fox will meet on the Coast in January to set the production program for next year. Stories have already been lined up for 1940-'41 and work on the new program is scheduled to begin early in the Spring.

Those attending the annual pre-season production conferences on the Coast will include S. R. Kent, president; Joseph M. Schenck, chairman of the board; Darryl F. Zanuck, production chief; Herman Wobber, general manager of distribution, and William Goetz, executive producer.

"Blue Bird," Shirley Temple picture, originally scheduled for a Christmas week release, will be released after the holiday season. A definite date remains to be set. The distribution department regards the picture as meriting unusual handling, and it may be given three test engagements to determine the campaign and possibilities.

Wobber on a recent swing around the country observed a feeling among leading exhibitors that a business upswing is on the way. Wobber observed increased activity in industrial centers.

GN Loan Meeting Excludes Creditor

Thomas J. Shanahan, chairman of the creditors' committee of Grand National Pictures, was denied admission to a conference of G.N., Erpi and the Reconstruction Finance Corp. on Friday, attorneys for creditors stated. The conference, announced on Wednesday at a G.N. hearing, was planned to reapply for a loan promised by the R.F.C. to the company. Admission was denied to Shanahan, it was said, because G.N. claimed that creditors had no right to participate in the discussions.

Cutters Meet Tonight

An effort to organize eastern film editors and cutters will get under way at a meeting called by the Motion Picture Laboratory Technicians Union, Loacl 702 at 8 o'clock tonight. The meeting will be held in the Windsor room of the Hotel Piccadilly. John H. Rugge, president of Local 702, declared in the invitation to the meeting that his local was extending its organization to include editors and cutters.

Home Office Chiefs Form Train Party Bound for Studios

One of the largest delegations of home office executives to leave New York simultaneously in the past several years was aboard the *20th Century Limited* on Friday night.

In the group were Barney Balaban, Paramount president, and Sterling Griffis, chairman of the executive committee, en route to Hollywood for about 10 days of production conferences. They were followed later Friday night by John W. Hicks, Paramount vice-president and foreign head, and Russell Holman, Eastern talent head, both of whom left on the *Iroquois*.

Leo Spitz, former president of RKO, was a passenger. He left for Chicago on business, to be gone a week.

Neil F. Agnew, vice-president and distribution head of Paramount, was delayed in New York and left Saturday by plane. After a brief visit in Chicago, Agnew will go on to the Coast to participate in the conferences.

Nate Blumberg, Universal president, was another passenger on the *Century*. He will spend about two weeks on the Coast conferring with studio officials. Jules Levy, slated to produce a picture for Universal release in the near future; John J. O'Connor, RKO theatre head, and Henry Koster, Universal director, were among those at the train to see Blumberg off.

Fred Meyers, assistant to O'Connor, also left on the *Century*. He will visit RKO west coast theatres.

Also on the *Century* were Richard Dwight and Frederick Pride of the law firm of Dwight, Harris, Koegel & Caskey, counsel for 20th Century-Fox. They were en route to the Coast to prepare for the Dec. 2 hearing on defendants' motion for a bill of particulars in the Government action against Fox West Coast.

Finney Completes New Ritter Picture

HOLLYWOOD, Nov. 26.—Tex Ritter's latest Monogram western "Roll, Wagons, Roll," produced by Edward Finney in Kanab, Utah, has been completed and will be released late this month. The film, directed by Al Herman, was shot near the Zion National Park.

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Studios Give Wage Boost, Avert Strike

(*Continued from page 1*)

crease should be surrendered by you, you agree to surrender such wage increase and to secure the surrender of the wage increase granted the A. F. of L. crafts subsequent to Aug. 15, 1938.

"If we have been unable to convince you and there is a difference of opinion between us in this matter, the question of surrender of these wage increases shall be put up to arbitration. The arbitration shall be held in Hollywood beginning immediately after either party declares there is a disagreement.

Wage Dispute to Arbitrators

"For purposes of such arbitration each group shall select one arbitrator and the two arbitrators shall select a third. In the event the two arbitrators are unable to choose the said third arbitrator he then shall be selected by the American Arbitration Society. Each party agrees to abide by the resule of the arbitration."

Two hours later Bioff issued the following statement after informing the affected unions of the producers' decision:

"This victory of Hollywood craft unions in their negotiations with producers is an impressive demonstration of the solidarity of A. F. of L. unions in Hollywood.

"Every member of studio A. F. of L. unions is now assured of a 10 per cent wage increase retroactive, in the case of unions outside of the I.A.T.S.E., to Oct. 10 when the Conference opened negotiations on behalf of A. F. of L. unions outside of I.A.T.S.E.

Unions Cling to Victory

"The producers have asked that on Feb. 15 unions meet with them to discuss whether the industry can afford to continue this higher wage scale. The position of the unions on Feb. 15 will be as it is now and has been consistently. That is, that before any readjustment is allowed to diminish the earning power of studio workingmen, salaries of those receiving $2,000 a week and upwards should be carefully scrutinized.

"If retrenchment is absolutely necessary Feb. 15, then it should begin in the higher brackets, not among employes whose average annual wage is around $900."

When Friday's conference opened, observers hoped that the conciliatory attitude which prevailed at Monday's meeting would be in renewed evidence. However, this optimism vanished as the conference progressed.

Friday's Wage Deadlock

For more than three and a half hours in Joseph M. Schenck's office at the 20th Century-Fox Studio, the negotiators wrangled over the wage issue. The producers, standing agressively together, advised the unions that it would be impossible for them to grant the craftsmen the 10 per cent wage increase.

When it appeared that a deadlock had developed, and that neither side would make any sacrificial concessions, the conference adjourned with the unions threatening an industry-wide strike.

After the meeting, the producers' negotiators—Schenck, E. J. Mannix, M. B. Silberberg, Y. Frank Freeman and Walter Wanger—issued the following statement:

"At a meeting this afternoon of the producers and of the labor negotiators, the producers advised the labor representatives that due to the necessity of a complete readjustment with which they are faced they are not in a position to grant the demand for wage increases at this time."

It was not long afterward that the following release, signed by labor negotiators—William Bioff; Meyer Lewis, Western A. F. of L. director; J. W. Buzzell, executive secretary of the Los Angeles Central Labor Council, and Walter Redmond, international representative of the Plasterers Union, was made public:

"The conference reached a deadlock with the producers' statement that they cannot pay the increases demanded by the studio unions.

"They contended that the industry needs time for readjustment.

"We feel that the underpaid workers should get that increase now.

"In view of this deadlock, Conference Chairman Bioff has notified the producers that unless the demands are met by Saturday, a general strike throughout the entire motion picture industry will be called.

"Mr. Lewis joined Bioff in issuing the ultimatum and stating that the entire resources of the American Federation of Labor will be used to support the demands of the studio craftsmen."

Muni in Play Tonight

After an absence from the Broadway stage for seven years, Paul Muni returns tonight when Maxwell Anderson's "Key Largo" opens at the Barrymore Theatre.

Banks Offer N. Y. Film Cash Only If Distribution Is Fixed

Basic requirements which New York banks will insist upon as a condition for financing productions to be made here is that the producer with whom they deal have a formal distribution agreement for the picture to be made, it was ascertained from inquiries at Chase National Bank and Irving Trust Co., two of the three financial institutions which were described recently by an assistant to Mayor LaGuardia as being willing to advance financing for Eastern production.

Without a distribution deal, it was made clear, these banks would not even discuss financing with a producer applicant.

The bankers regard the existence of a distribution commitment as a basic assurance of the potential quality and box-office worth of a production, since it is evidence in itself of the confidence of an experienced distributor in the producer, his story, cast and probable accomplishment.

Comments by representatives of the banks made it apparent that the financing of Eastern production by them is largely a hypothetical matter. Their participation is not an innovation or departure from former policy. The banks mentioned, and others not mentioned by the Mayor's assistant, do and have engaged in financing production here at various times.

The fact that the Mayor has interested himself in obtaining for New York some additional production activity means little to the bankers, unless that interest results in attracting the right producers with the right distribution outlets to the city.

They realize that the essentials of real production are in Hollywood and likely to remain there.

Schaefer Visits Mayor for Hour

George J. Schaefer, president of RKO, on Friday assured Mayor La Guardia that he would be glad to cooperate with him in his campaign for Eastern production, it was learned from reliable sources on that day.

Schaefer, during a one-hour conference with the Mayor, discussed all aspects of Eastern production and displayed considerable interest, it was said.

King Vidor also visited the Mayor on the same day and expressed an interest in his scheme to bring production to New York, City Hall sources stated.

Holiday Weekend Booms Broadway

(*Continued from page 1*)

largest crowds, despite the fact that the film is in its third week. At the Paramount, "The Cat and the Canary" supported by a stage show featuring Tony Martin and Jan Savitt's band was the second strongest attraction on Broadway.

At the Roxy "Daytime Wife," with a new stage show, opened strong. The Capitol also drew long waiting lines with "Another Thin Man." "The Roaring Twenties" at the Strand, "First Love" at the Rialto, "Beasts of Berlin" at the Globe and "The Mill on the Floss" at the Astor, also brought sizeable returns.

U. S. Industry Hails British Film Policy

(*Continued from page 1*)

president, said on Friday prior to his departure for the Coast.

The company has fulfilled its quota requirements for the current period ending next March, and its plans beyond that time will depend upon the amount of business it does in Britain in the interim and, of course, upon quota legislation thereafter.

Balaban pointed out that with currency withdrawals from Britain based upon 50 per cent of the average business done during the past three years, total future business there might amount to only 50 per cent of the prewar average.

In this case the company would be withdrawing money representing the entire business which it did in Britain and no cash would be "frozen" there. In such a circumstance, he said, he did not believe it would be reasonable to expect an American company to spend money for production in England.

He indicated, however, that if future business in England is of enough volume to create "frozen" funds there, Paramount undoubtedly would use such funds for production purposes.

Metro Asks 70% Gross For 'Wind'

(*Continued from page 1*)

the company is planning as many as five or six simultaneous bookings.

Runs 3 Hours, 45 Minutes

The picture runs three hours and 45 minutes. M-G-M will advertise the starting time of all performances locally in order to discourage patrons from arriving at the theatre after the picture has begun.

"Since the picture is to be sold on a separate basis, clearance conditions may have to be somewhat changed to meet requirements. I doubt if 'Gone with the Wind' will ever be shown at popular prices."

Rodgers revealed that an annual bonus plan covering the entire program of the company has been established for the distribution department. Employes in all branches will participate.

Expect Record Gross

The domestic gross which M-G-M is aiming for on "Gone with the Wind" exceeds all world goals so far attained by any picture.

"Snow White and the Seven Dwarfs" attained a world gross of more than $8,000,000 while "Mutiny on the Bounty" garnered nearly $7,000,000. Warners' original Al Jolson talkie, "The Singing Fool," did $5,250,000.

Two silent films made by M-G-M were next. These were "The Four Horsemen of the Apocalypse" with $4,500,000 and "Ben Hur" with $4,000,000.

Catholics to Renew Film Decency Vow

(*Continued from page 1*)

stressed the "desirability of strengthening diocesan organizations of the Legion that the united effort which has been manifested throughout the country may be maintained and the standards of decency and morality in motion pictures upheld."

Members of the Episcopal Committee on Motion Pictures are: Archbishop John T. McNicholas, O.P., of Cincinnati, chairman; Archbishop John J. Cantwell, of Los Angeles, Bishop Hugh C. Doyle of Pittsburgh, Bishop John F. Noll of Fort Wayne, Indiana and Bishop Stephen J. Donahue, auxiliary bishop of New York.

The report of the committee, submitted by the Rev. John J. McClafferty, executive secretary of the Legion of Decency, reveals that 590 pictures were reviewed by the organization from October, 1938 to November, 1939. Of these 324 were rated as being unobjectionable for general patronage, 207 as unobjectionable for adults, 50 as objectionable in part and nine as condemned.

Short Subject Reviews

"The Green Hornet"
(Universal)

Based on the popular radio series of the same name, "The Green Hornet" was originated by Station WXYZ, Detroit, which also produced "The Lone Ranger." Having built a wide audience on the Mutual network, the series has moved over to NBC-Blue which is putting a strong promotional campaign behind it. With a ready-made audience and a network campaign behind it, this serial should be easy to exploit.

Based on a view of the first three chapters, the serial should have wide appeal for both children and adults. Gordon Jones, as a young publisher, decides to clean up his city by acting as a modern Robin Hood. He adopts the title, "The Green Hornet," and with the aid of a high-powered car and a scientific valet, Keye Luke, gradually kills off the entire gang. Wade Boteler acts as Jones' bodyguard, and Anne Nagel is his secretary. Running time of each episode, 21 mins.

"March of Time, No. 4"
(RKO)

As timely as ever, this issue of "March of Time" presents a news review of 1939. Called "Newsfronts of War—1940," the reel describes the newsgathering agencies, with special emphasis on the Associated Press. The reel then proceeds to detail the highlights of the news of the past year.

Interesting audience reaction will probably be caused by the juxtaposition of rival political figures, such as Roosevelt, Dewey and Garner, and Mussolini, Hitler and Stalin. The reel concludes with the observation that Russia is the only likely beneficiary of the present war. The outstanding shot is a gathering of Nazi and Communist diplomats dipping into a plate of Russian caviar. Running time, 19 mins.

"Sleeping Princess"
(Lantz-Universal)

The story of the sleeping beauty is gaily re-told in this Walter Lantz "Cartune." A curse is placed on a baby princess who is told that she will fall asleep at the age of 16 and will sleep until awakened by a kiss of a prince. A homely looking prince awakens her but he is changed into a handsome man by a fairy standing nearby. The color and animations are above par. Running time, 10 mins.

"Rhumba Land"
(Universal)

This is a well-balanced musical that should make a good addition to the program. Set in a gay night club in Havana, "Rhumba Land" presents eight singing and dancing acts. Included are Wini Shaw, Vivien Fay, The Theodores, Tana, Alfredo Seville, Jimmy Clemmens, The Singing Charnos and Darryl Harpa and his orchestra. Running time, 18½ mins.

Hollywood Review

"Four Wives"
(Warners)

HOLLYWOOD, Nov. 26.—Further affairs of the "Lemp" family of "Four Daughters" fame are detailed in "Four Wives," which strives valiantly to capture the charm and freshness of the original. This wholly adult picture again presents Claude Rains, Jeffrey Lynn, Priscilla, Rosemary and Lola Lane, Gale Page, May Robson, Frank McHugh and Dick Foran, who appeared in "Four Daughters," plus the faded-in ghost of "Mickey Borden," played by John Garfield, who will be remembered as the suicide husband of Priscilla Lane in that production.

The memory of Garfield, further intensified by his widow's bearing his posthumous child, casts a blight on her romance with Lynn, whose love for the widow forms the major thread of the story. The difficult task of writing a sequel based on the characters created by Fannie Hurst in her book, "Sister Act," was entrusted to Julius J. and Philip G. Epstein and Maurice Hanline. Michael Curtiz, who directed the first "Lemp" picture and "Daughters Courageous," in which the same players appear, was the guiding hand in this, under Associate Producer Henry Blanke and Executive Producer Hal B. Wallis.

The cast is enlarged by the addition of Eddie Albert, in a serious role, Henry O'Neill, Vera Lewis and John Qualen.

The same type of campaign which found favor with the picture's predecessor is equally applicable to this.

"Four Wives" tells a rather involved tale of the matrimonial adventures of the sisters, the finishing of "Mickey's" symphony by Lynn, birth of three children and adoption of another, the emotions of a barren woman, and the marriage of "Mickey's" widow to Lynn.

Running time, 112 minutes. "A."* VANCE KING

**"A" denotes adult classification.*

Three Cities Expect Good Xmas Trade

Theatre executives in St. Louis, Seattle and New Haven expect unusually good Christmas business this year as a result of the holiday falling on Monday.

In Seattle most houses will change their programs on Saturday, Dec. 23, instead of on Monday, Christmas Day, as usual. Five-day programs for the week preceding Christmas, and full seven or eight-day programs during the holiday week are expected to result in good business.

With the split runs in New Haven starting on Sunday, holiday business there is expected to be unusually good.

Although opinion is divided in St. Louis, the consensus among theatre operators is that the double holiday should mean better holiday business than in previous years.

Good Season Seen For Miami Showmen

MIAMI BEACH, Nov. 26. — Local showmen are looking forward to a big winter, as the season here gets under way two months earlier than usual. More out-of-town visitors than ever before at any similar period are here. Several night clubs already are flourishing.

There are about 20 new hotels being rushed to completion, in the hope that these may open by Christmas. The work on these structures is going on night and day.

Already the local chamber of commerce has asked the innkeepers not to go overboard on rates in anticipation of the boom, caused largely by the European war, which has stopped American travel to England and France.

22% Made Return Visits to N.Y. Fair

Return visits to the World's Fair were made by 22 per cent of the visitors, according to a survey completed by Market Analysts, a statistical organization, for the Fair corporation.

The survey also revealed that the transportation area was the most popular, that one in every five visitors went to the "Town of Tomorrow," and that five-sevenths of the visitors had incomes of more than $2,000 a year "and consequently were in a position to buy the products displayed."

Other data adduced in the study includes: One in every six visitors was a member of a profession, and 50 per cent owned automobiles; Fair visitors had twice as much high school education and 10 times as much college training as the nation at large.

Frazier President Of New Haven Union

NEW HAVEN, Nov. 26. — Motion Picture Operators' Union, Local 273, has elected A. Nelson Frazier, president for 1939-'40. Other officers include: Frank Perry, vice-president; Anthony Bascalicato, secretary; Edwin Boppert, treasurer; Matthew W. Kennedy, business agent.

Myron Wheaton and Nick Villano were elected to the executive board, in addition to all officers. The next meeting will be held Dec. 16, when an annual holiday ball will be discussed.

Allied Unit Meet Set

NEW HAVEN, Nov. 26.—Allied Theatres of Connecticut will hold a luncheon-meeting at the Hofbrau Haus Restaurant on Tuesday. A. M. Schuman will preside.

South America Object of New Mexico Drive

MEXICO CITY, Nov. 26. — Efficient distribution of Mexican-made pictures in South America is the objective of a central exchange of the best Mexican pictures that leading producers are arranging for here. Agents of the exchange are to be stationed in key South American cities.

Convinced that radio is one of the best means for public education and information, the Party of the Mexican Revolution, the political organization that dominates the Mexican Government, is arranging with administrations of the Mexican states to establish stations and provide receivers for broadcasts in all remote regions of the country.

An exhibitor is not to blame if patrons of his theatre clutter up exits with their automobiles, the Mexican Supreme Court ruled in quashing a sentence of five years for murder imposed by a lower court on Manuel Sosa Herrera whose theatre at Zacatepec, a sugar central near here that is conducted by the Federal Government, was destroyed by fire with a loss of 20 lives last June. It was proved that most of the victims were trapped by automobiles that blocked exits. The lower court held the exhibitor to blame.

Another picture production company, Pro-Mex, has been organized here. Agustin Fink is the president. It intends to produce two features between now and February. Leopoldo Ortin, Mexican screen comedian, has turned producer. His first picture is to be "His Last Night," based on a Hungarian play.

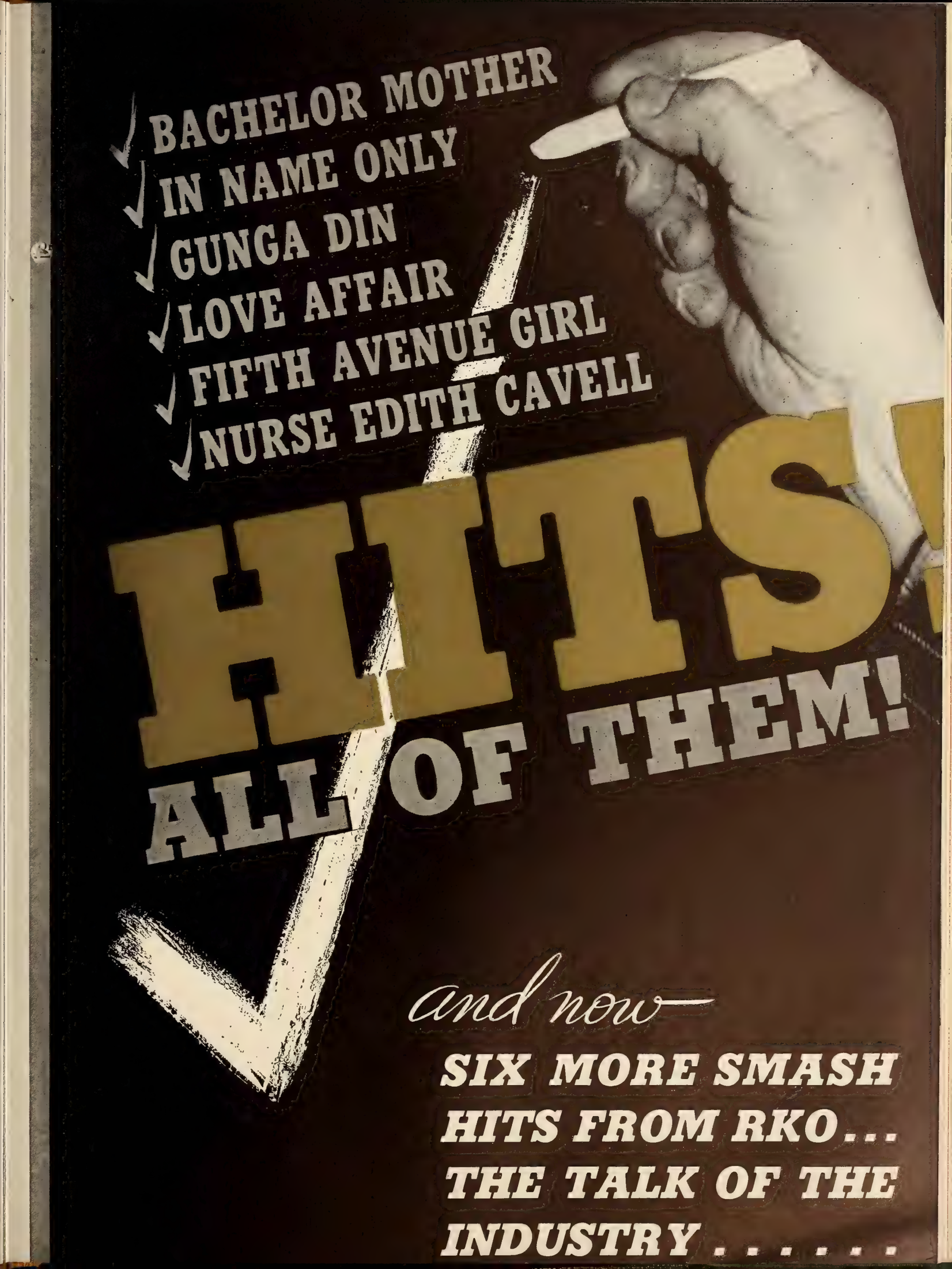
The Federal District, which includes this city, and has a population of about 1,300,000, has 136,031 radio receivers, according to a Government statement.

Xmas Basket Drive In Chicago Dec. 21

CHICAGO, Nov. 26.—The Fifth Annual Movie Christmas Basket Parties will be held in Chicago theatres Dec. 21. More than 280 theatres are expected to participate.

Free films, trailers, advertising and labor will be supplied as usual. The committee in charge of the event this year include Jack Kirsch, president of Allied Theatres of Illinois; Morris G. Leonard, head of the Chicago Exhibitors Association; Louis L. Abramson, W. K. Hollander, Dan Goldberg, Henry Markbreit, Herb Elisberg, W. F. Crouch, Larry Stein, Norman Kassel, Edmund Seguin, Edwin Levin, Ted Morris, Craig Dennison, Joe McKeown, Archie Herzoff, James Savage and Gene Rich.

The baskets, which are collected and made up from the donations of foodstuffs which serve as admission for the special matinee, are distributed to those in need from lists supplied by reputable charity groups.


BACHELOR MOTHER
IN NAME ONLY
GUNGA DIN
LOVE AFFAIR
FIFTH AVENUE GIRL
NURSE EDITH CAVELL
HITS!
ALL OF THEM!
and now—
SIX MORE SMASH HITS FROM RKO...
THE TALK OF THE INDUSTRY.....

KAY KYSER *and* ADOLPHE MENJOU *in*

THAT'S RIGHT— YOU'RE WRONG

with MAY ROBSON · LUCILLE BALL · DENNIS O'KEEFE · EDWARD EVERETT HORTON · ROSCOE KARNS · MORONI OLSEN *and* KAY KYSER'S BAND *featuring* GINNY SIMMS · HARRY BABBITT SULLY MASON · ISH KABIBBLE *and* "THE COLLEGE OF MUSICAL KNOWLEDGE" · *Produced and directed by DAVID BUTLER · Screen play by William Conselman and James V. Kern*

The laugh-swing sensation now sweeping the nation!... Thrilling Thanksgiving attraction in scores of first runs Coast to Coast and, according to all reports, a picture destined to top the top grosses everywhere!







CHARLES LAUGHTON *in Victor Hugo's* THE

HUNCHBACK OF NOTRE DAME

with SIR CEDRIC HARDWICKE · THOMAS MITCHELL · MAUREEN O'HARA · EDMOND O'BRIEN · ALAN MARSHAL · WALTER HAMPDEN · KATHARINE ALEXANDER · PRODUCED BY PANDRO S. BERMAN · DIRECTED BY WILLIAM DIETERLE · Screen Play by Sonya Levien · Adaptation by Bruno Frank

One of the greatest motion pictures of all time! . . . Everything about it pointing to such crowd-pulling power as to establish new box-office records . . . Produced on a scale of such magnitude and magnificence as to dwarf all previous conceptions of the possibilities of the screen! . . . ALL SET AS THE INDUSTRY'S SHOW EVENT FOR NEW YEARS!







VIGIL IN THE NIGHT

starring

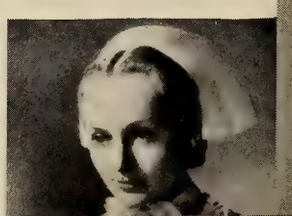
CAROLE LOMBARD · BRIAN AHERNE · ANNE SHIRLEY *with* JULIEN MITCHELL · ROBERT COOTE · FROM THE NOVEL BY A. J. CRONIN

Produced and Directed by GEORGE STEVENS · PANDRO S. BERMAN in charge of production

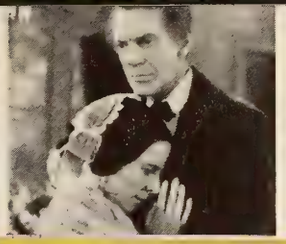
For a ready-made audience numbering practically all of the picture-goers of the nation comes this rich fulfilment of their greatest expectations... Drama —deep, tense, absorbing and tremendously exciting... in the atmosphere that makes this great picture relate to the nursing profession as "The Citadel" related to the medical profession.










ROBERT E. SHERWOOD'S PULITZER PRIZE PLAY

ABE LINCOLN IN ILLINOIS

starring

RAYMOND MASSEY GENE LOCKHART • RUTH GORDON • MARY HOWARD
DOROTHY TREE • HARVEY STEPHENS • MINOR WATSON • ALAN BAXTER
PRODUCED BY MAX GORDON • DIRECTED BY JOHN CROMWELL • Screen Play by Robert E. Sherwood

Never in screen history has a more moving story been filmed than in this — THE GREAT AMERICAN MOTION PICTURE! . . . Some who see it will say it's the greatest picture ever made; many more will gloriously thrill to the privilege of being a part of what it represents; all must agree that the screen has no greater power than to lay life itself in the hearts of a people!... Like Lincoln himself, the picture towers in majesty—ALONE!







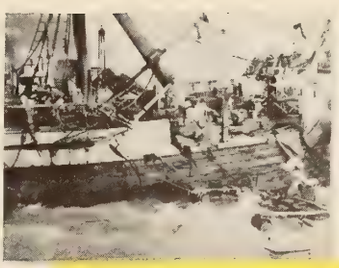
ALLEGHENY UPRISING

starring

CLAIRE TREVOR • JOHN WAYNE *with* **GEORGE SANDERS • BRIAN DONLEVY • WILFRID LAWSON • ROBERT BARRAT • JOHN F. HAMILTON • MORONI OLSEN • EDDIE QUILLAN** • Produced by P. J. Wolfson • Directed by William A. Seiter • PANDRO S. BERMAN in Charge of Production • Screen Play by P. J. Wolfson

RKO RADIO'S giant of action shows . . . Now playing throughout the country to some of the most satisfactory grosses theatres have known in months . . . A big show for big business RIGHT NOW!




SWISS FAMILY ROBINSON

with

THOMAS MITCHELL • EDNA BEST • FREDDIE BARTHOLOMEW • TERRY KILBURN • TIM HOLT • BABY BOBBIE QUILLAN .. A "THE PLAY'S THE THING" PRODUCTION

Six months ago we promised that you could look for one of the greatest novelty adventure dramas the screen ever knew in "Swiss Family Robinson"...Now it's virtually completed, and the results justify the most enthusiastic claims any company ever made for a great attraction.



- ALLEGHENY UPRISING
- VIGIL IN THE NIGHT
- ABE LINCOLN IN ILLINOIS
- THAT'S RIGHT, YOU'RE WRONG
- HUNCHBACK OF NOTRE DAME
- SWISS FAMILY ROBINSON

HITS!

ALL OF THEM!

ONE AFTER THE OTHER!

-and on the way...

MY FAVORITE WIFE..
IRENE DUNNE • CARY GRANT • RANDOLPH SCOTT
A LEO McCAREY PRODUCTION .. Directed by GARSON KANIN

BILL OF DIVORCEMENT..
MAUREEN O'HARA • ADOLPHE MENJOU • FAY BAINTER

THE PRIMROSE PATH..
CO-STARRING GINGER ROGERS and JOEL McCREA
Produced and directed by GREGORY LA CAVA
Based on George Abbott's Broadway stage hit

HEART OF DARKNESS.. ORSON WELLES

IRENE.. ANNA NEAGLE • RAY MILLAND • ROLAND YOUNG
MAY ROBSON .. Produced and directed by HERBERT WILCOX

RKO RADIO PICTURES

AND MORE AND MORE TO COME FROM RKO . . . THE TALK OF THE INDUSTRY!

• Theatre and Personal Notes •

Warner Theatre Changes

NEW HAVEN, Nov. 26.—Warner Theatres has transferred several managers. Manny Kugel of the Palace, South Norwalk, has gone to the Warner, Bridgeport, and George Harvey of the Empress, Danbury, to the Palace, South Norwalk.

Former managers Howard Petingill and William Hatkoff, of the Warner, Bridgeport and Rialto, South Norwalk, have resigned. J. Miklos, assistant at the Embassy, New Britain, has been promoted to manage the Broadway, Norwich, while Jay O'Sullivan moves from Norwich to the Empress, Danbury. A. Montefalco, assistant at the Commodore Hull, Derby, and handling the three-a-week Tremont, Ansonia, has been moved to the Rialto, South Norwalk as manager, while J. Landino, chief of service at the Roger Sherman, New Haven, takes over the Tremont.

Assistant in Canton, Ohio

CANTON, O., Nov. 26.—Woodrow Meyer, formerly of the Plaza, Sandusky, O., has been named assistant to William Harwell at Warners' Ohio here, replacing James Mendell, who has resigned.

Named to Youngstown House

YOUNGSTOWN, O., Nov. 26.—Charles Simpson, assistant manager of the Colonial in Akron, has been named assistant to Jack Hynes here at the Park. William L. Rook, Jr., former assistant, has been moved to the Colonial in Akron as assistant manager.

Take Four from Wilby

ATLANTA, Nov. 26.—W. J. Collins and Fred T. McLendon have taken over four houses from the George Wilby interests: Habersham, Clarksville; Ritz, Toccoa; Dixie, Cornelia, and Franklin, Livonia, all in Georgia.

Reopen Atlanta House

ATLANTA, Nov. 26.—The Roxy will reopen about the end of the month, with a policy of name bands, vaudeville and first run pictures. Renovated at a cost of about $45,000, the house has been dark since June.

Open Theatre in Columbus

COLUMBUS, O., Nov. 26.—John and George Rappold have opened their 500-seat Ideal, in a suburban location close to the Innis which they have been operating for 18 years. The house cost $50,000.

Fire Razes Ohio Theatre

GLOUSTER, O., Nov. 26.—The 450-seat Crawford was completely destroyed by fire of unknown origin. The house was empty at the time.

Manages Brentwood House

PITTSBURGH, Nov. 26. — William Moss has succeeded Elbert Smith as manager of the Melrose, in Brentwood, Pittsburgh suburb. He is the son of John P. Moss, owner.

Remodels Shelby Theatre

SHELBY, Mich., Nov. 26.—Emmet F. Roche has completely remodeled the Shelby Theatre and installed new sound equipment.

Theatre for Ossian, Ia.

OSSIAN, Ia., Nov. 26. — After 12 years this town will have a motion picture theatre. Paul Swanson will operate the house which will be called the Ossian and seat 300. The theatre is expected to open late this month.

Shimmens Opens House

NEWBERRY, Mich., Nov. 26. — Thomas Shimmens has opened a new theatre, to operate three nights a week. The house, which seats 400, will have a screen-vaudeville policy. Shimmens also operates the Newberry and State.

Starkey Takes Theatre

CHILTON, Wis., Nov. 26.—Edward M. Starkey is taking over the Chilton here from John Steenport, who has operated the house since it was built in 1931.

Opening in Columbus Grove

COLUMBUS GROVE, O., Nov. 26.—Thomas A. Scott will open a film theatre here by Jan. 1. There has been no theatre here for many years.

Planning Wisconsin House

BLANCHARDVILLE, Wis., Nov. 26.—Thomas Watson is planning a 330-seat theatre here, which is expected to open in December.

Remodeling at Chilton, Wis.

CHILTON, Wis., Nov. 26.—Edward Schwager is remodeling the Rudalt Theatre here.

Building at East Troy, Wis.

EAST TROY, Wis., Nov. 26.—A. L. Geyer is building a new theatre here. The house is expected to be completed by Jan. 1.

Remodel Indiana House

RICHLAND, Ia., Nov. 26. — The Strand is being remodeled under the direction of Glen and Vera Nordyke, proprietors.

Installs New Seats, Lights

CALMAR, Ia., Nov. 26.—L. J. Frana is installing new seats and lighting equipment in the Olympic Theatre here.

Open in Burlington, Ia.

BURLINGTON, Ia., Nov. 26. — The new 576-seat Zephyr will open here late this month. Central States Theatres will operate.

Thacker Opens House

FENTON, Ia., Nov. 26.—Fred Thacker has opened a new theatre here called the Fenton. The house seats 400.

New Theatre at Dunkirk, Ind.

DUNKIRK, Ind., Nov. 26.—A new theatre is being built here. It is expected to be completed by Jan. 1.

Hitchcock Succeeds Kubiac

COLERAINE, Minn., Nov. 26.—William Hitchcock succeeds H. Kubiac as manager of the Roxy here.

Gets New Equipment

ATON, Ia., Nov. 26.—New sound equipment has been installed at the Paris Theatre here.

Iowa House Is Sold

AUDUBON, Ia., Nov. 26. — Harry Pace has sold the Broadway theatre to Floyd Thompson of Owatonna, Minn. Pace will remain in Audubon and act as film buyer for a new circuit now being formed. Thompson also owns the theatre at Lake Mills.

Reopen Theatre in Pontiac

PONTIAC, Mich., Nov. 26. — The State has been reopened after considerable remodeling. A new front and lobby were installed.

Handles Iowa Theatres

WEBSTER CITY, Ia., Nov. 26.—Art Downard, formerly manager of the Grundy Center, is now in charge of the Webster and Iris here.

Sells Minnesota House

WINDON, Minn., Nov. 26.—Henry Hower has disposed of the State here to Harry Green and Louis Deutsch of Virginia.

Tri-States House Ready

DAVENPORT, Ia., Nov. 26.—The new Tri-States theatre here which is slated to open late this month will be called the Esquire, according to district manager Joseph Kinsky.

Buys Cherokee, Ia., House

CHEROKEE, Ia., Nov. 26.—The old Rialto theatre building has been purchased by G. R. Norman of Storm Lake.

Gran Buys Theatre

GARNER, Ia., Nov. 26. — Donald Gran of Sioux Rapids has purchased the Avery here from the Vilaume Box & Lumber Co. of St. Paul, Minn.

Opens Ohio Theatre

BELLE CENTER, O., Nov. 26.—Cletus Cletus Wright has opened the Ellis Opera House as a film theatre. It will be renamed the Town Hall Theatre.

Plan Military Home Theatre

DAYTON, O., Nov. 26.—A $200,000 theatre that will allow patients to see pictures from wheel chairs is being built here at the Military home. The new theatre will seat 1,500.

Ritz to Be Reseated

SILVER LAKE, Ind., Nov. 26. — Wayne Garman is installing new seats in the Ritz in North Manchester. Other remodeling will also be done.

Completing Indiana House

ROANN, Ind., Nov. 26.—The Eagle Theatre will be completed here late this month. More than $10,000 was spent on the new structure.

Installs New Seats

CASSOPOLIS, Mich., Nov. 26.—Manager J. O'Boyle of the Gem here has installed 450 new seats in the theatre.

Indiana House Opens

REMINGTON, Ind., Nov. 26. — The Rem, which seats 386, has opened here.

House Is Reseated

WILLIAMSTON, Mich., Nov. 26.—S. E. Montgomery, manager of the Sun, has installed new seats.

Tri-States Shifts Managers

DES MOINES, Nov. 26. — The Tri-States Theatre Corp. has appointed Henry Plude, assistant manager of the Paramount theatre at Cedar Rapids, as manager of the new Rockett at Rock Island, Ill. James Dickinson, assistant manager of the State, Cedar Rapids, has been named assistant at the Paramount there. Richard Stoddard, former manager of Tri-States Garden in Davenport, Iowa, has been appointed manager of the new Esquire in Davenport.

News Theatre Chartered

SACRAMENTO, Nov. 26.—The Telenews Theatre, showing newsreels and short subjects only, has been chartered with the secretary of state here by Martin J. Dinkelspiel, Fred S. Herrington, D. K. Lever, F. R. Rogers and Alfred del Carlo. Capital stock was listed at 1,000 shares, of $10 par value each.

Remodel Iowa Theatre

AUDUBON, Ia, Nov. 26.—Floyd Thompson, who recently bought the Broadway here from Harry Pace, plans to close the house some time in December for complete remodeling, including an increase to 400 seats.

Associated Buys Two

OWATONNA, Minn., Nov. 26.—The Associated Amusement Co. has purchased the Tonna and Roxy here from W. R. Frank, O. C. Woemper and Val Nerpass. A. S. Starbird will manage both theatres.

Double Seating Capacity

MAQUOKETA, Ia., Nov. 26.—Approximately $14,000 will be spent here to double the seating capacity of the Pastime Theatre, according to Manager S. R. Peake. The job is expected to be completed in about 60 days.

Robert Eves Transferred

TORNOTO, Nov. 26.—Robert Eves, who has been managing the Oakwood in Toronto for the past few months, has been returned to the Eglinton, ace suburban house, by Famous Players Canadian Corp. Jack Purves is now in charge at the Oakwood.

Shift Canadian Manager

TORONTO, Nov. 26.—Tom Mascaro, manager of the Granada, Hamilton, has been transferred to the Capitol, Belleville, succeeding Gordon D. Fairley, who has joined the home office staff of Associated Theatres, Ltd., Toronto.

Opens Missouri Theatre

KANSAS CITY, Nov. 26. — David Williams has opened the Grand, formerly the Valley Theatre, at St. Joseph, Mo. It has been dark several years.

Open Garrett, Ind., House

GARRETT, Ind., Nov. 26.—The new $40,000 Garrett theatre has opened here.

Plans Kellogg, Ia., House

KELLOGG, Ia., Nov. 26.—Bert Smith of Des Moines will open a theatre here about Dec. 1.

Van Sloan Takes House

WAVERLY, Minn., Nov. 26.—Henry Van Sloan is operating the Waverly, which he purchased from Ray Lyman.

'First Love' Denver Lead With $11,000

DENVER, Nov. 26.—With all first runs going above average "First Love" took $11,000 at the Denver. "Drums Along the Mohawk" drew $4,500 in the second week at the Aladdin.

Estimated takings for the week ending Nov. 22:

"Drums Along the Mohawk" (20th-Fox)
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $4,500. (Average, $3,500)
"Mr. Smith Goes to Washington" (Col.)
BROADWAY—(1,040) (25c-40c) 7 days, 3rd week. Gross: $3,500. (Average, $3,500)
"Jamaica Inn" (Para.)
DENHAM—(1,750) (25c-35c-40c) 4 days of 2nd week. Gross: $3,400.
"The Cat and the Canary" (Para.)
DENHAM—(1,750) (25c-35c-40c) 4 days, start of run. Gross: $6,000. (Average for week: $6,500)
"First Love" (Univ.)
DENVER—(2,525) (25c-35c-40c) 7 days. Gross: $11,000. (Average, $9,000)
"Remember?" (M-G-M)
"Three Sons" (RKO)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $9,400. (Average, $9,000)
"Espionage Agent" (W.B.)
"Pride of the Bluegrass" (W.B.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,000. (Average: $3,500)
"Mr. Smith Goes to Washington" (Col.)
"Shipyard Sally" (20th-Fox)
RIALTO—(878) (25c-40c) 7 days, "Smith" 3rd week. Gross: $2,500. (Average, $1,750)

'Essex' Pittsburgh Leader at $13,500

PITTSBURGH, Nov. 26.—"Elizabeth and Essex" pulled $13,500 in six days at Loew's Penn, "On Dress Parade" with Hal Kemp and Rufe Davis on stage, drew $25,000 to the Stanley. Second week of "First Love" drew $8,000 at the Fulton.

Estimated takings for the week ending Nov. 22:

"Drums Along the Mohawk" (20th-Fox)
ALVIN—(1,900) (25c-35c-50c) 7 days, second week. Gross: $7,500. (Average, $8,000)
"First Love" (Univ.)
FULTON—(1,700) (25c-40c) 7 days, 2nd week. Gross: $8,000. (Average, $5,000)
"Elizabeth and Essex" (W.B.)
LOEW'S PENN—(3,600) (25c-35c-50c) 6 days. Gross: $13,500. (Average, 7 days, $13,000)
"Mr. Smith Goes to Washington" (Col.)
SENATOR—(2,000) (25c-35c-50c) 7 days, 4th week. Gross: $5,000. (Average, $3,800)
"On Dress Parade" (W.B.)
STANLEY—(3,600) (25c-40c-60c) 7 days. On stage: Hal Kemp, Rufe Davis, Jeanne Blanche, The Smoothies. Gross: $25,000. (Average, $17,000)
"On Your Toes" (W.B.)
"Full Confession" (RKO)
WARNER — (2,000) (25c-40c) 6 days. Gross: $3,200. (Average 7 days, $5,000)

'At the Circus' Pulls $7,800 Omaha Lead

OMAHA, Nov. 26.—"At the Circus" took $7,800 at the Omaha. "First Love" grossed $8,500 at the Orpheum.

Estimated takings for the week ending Nov. 23-24:

"Allegheny Uprising" (RKO)
"On Your Toes" (W.B.)
BRANDEIS—(1,200) (25c-35c-40c) 7 days. Gross: $3,700. (Average, $4,000)
"Marx Brothers at the Circus" (M-G-M)
"20,000 Men a Year" (20th-Fox)
OMAHA—(2,200) (25c-40c) 7 days. Gross: $7,800. (Average, $6,000)
"First Love" (Univ.)
"Here I Am a Stranger" (20th-Fox)
ORPHEUM — (3,000) (25c-40c) 7 days. Gross: $8,500. (Average, $7,600)
"All Quiet on the Western Front" (Univ.)
"Hero For a Day" (Univ.)
PARAMOUNT—(3,000) (25c-40c) 5 days. Gross: $3,000. (Average, $6,000)
"Zenobia" (U.A.)
"Charlie Chan at Reno" (20th-Fox)
STATE — (1,000) (20c-25c-35c) 7 days. Gross: $1,200. (Average, $2,000)

Hollywood Review

"The Night of Nights"

(Paramount)

HOLLYWOOD, Nov. 26.—Herewith the story of Pagliacci, re-told with appropriate modern flourishes. Pat O'Brien portrays an actor whose drunkenness alienates his wife, who dies in childbirth. After 20 years of remorseful inactivity, the sudden appearance of his daughter, reared in ignorance of her father, inspires him to act in his own play as the clown in love with the bareback rider. His daughter persuades him to give the play a happy ending, but can't prevent his death of a heart ailment on his "night of nights," with himself and his play again a success.

O'Brien seems ill at ease in the melancholy role, while the French accent of Olympe Bradna, as the daughter, remains open to questionable audience reaction, although accounted for in Donald Ogden Stewart's script by having her reared in a Canadian convent.

Roland Young, as O'Brien's best friend, married to a stuffy woman of wealth, gives his usual sparkling performance under the direction of Lewis Milestone. Reginald Gardiner, George Stone and Murray Alper perform capably within the limits of the story framework in the George Arthur production.

Running time, 85 minues. "G."* WALTER SELDEN

*"G" denotes general classification.

'Smith' Draws Fine $31,000 To Lead Hub

Boston, Nov. 26.—"Mr. Smith Goes to Washington" and "Five Little Peppers" hit the high spot at Loew's Orpheum and State, with a total of $31,000, or $19,500 and $11,500 in that order.

Estimated takings for the week ending Nov. 22:

"Hidden Power" (Col.) (4 days with vaude.)
"Sued for Libel" (RKO) (4 days with vaude.)
"Mutiny on the Blackhawk" (Univ.) (3 days)
"Daughter of the Tong" (Imp.) (3 days)
RKO KEITH BOSTON—(3,000) (25c-30c-35c-40c). Gross: $8,500. (Average, $8,000)
"First Love" (Univ.) (2nd week)
"Meet Dr. Christian" (RKO) (1st week)
KEITH MEMORIAL — (2-907) (25c-35c-40c-55c) 7 days. Gross: $12,000. (Average, $14,500)
"The Cat and the Canary" (Para).
"Heaven with a Barbed Wire Fence" (20th-Fox)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $8,000. (Average, $7,700)
"The Cat and the Canary" (Para.)
"Heaven with a Barbed Wire Fence" (20th-Fox)
FENWAY — (1,382) (25c-35c-40c-55c) 7 days. Gross: $6,000. (Average, $4,500)
"Disputed Passage" (Para.)
"Hero for a Day" (Univ.)
METROPOLITAN — (4,332) (25c-35c-40c-55c) 7 days. Gross: $12,000. (Average, $14,500)
"Mr. Smith Goes to Washington" (Col.)
"Five Little Peppers" (Col.)
LOEW'S ORPHEUM — (2,900) (25c-35c-40c-55c) 7 days. Gross: $19,500. (Average, $14,500)
"Mr. Smith Goes to Washington" (Col.)
"Five Little Peppers" (Col.)
LOEW'S STATE — (3,000) (25c-35c-40c-55c) 7 days. Gross: $11,500. (Average, $11,000)
"Jamaica Inn" (Para.)
"Pack Up Your Troubles" (20th-Fox)
SCOLLAY — (2,500) (25c-35c-40c-50c) 7 days. Both 2nd run. Gross: $5,000. (Average, $4,000)

House in Receivership

GARRETT, Ind., Nov. 26.—Inability of partners Alex C. Kalafat and H. E. Hart to agree on operation of the Royal Theatre has brought about a receivership for the theatre. Harry E. West was named by Judge Wm. P. Endicott of the Circuit court.

London Notes

LONDON, Nov. 26.—The proposal of the London County Council to insist that all new theatre screens in the area be made of non-combustible material has been abandoned, for the duration of the war at least.

Picture house programs in Manchester are, as a result of agreement between police and local exhibitors, to be limited to two hours until further notice.

Wider staggering of continuous performances is aimed at. Transport authorities may now provide better traveling facilities.

F. A. Hoare, chairman of the Sub-Standard Association, a body representing manufacturers of 16 mm. films and apparatus, has been appointed a member of the Films Council. He succeeds John Grierson recently named Film Commissioner by the Canadian government.

The British Government is studying the use of mobile film units to entertain evacuees in rural areas which are not served by the ordinary trade channels.

According to the Minister of Information, Sir Edward Grigg, there is a possibility traveling film shows may be sponsored by his department.

Agfa Ansco Merger Approval Expected

Stockholders on Dec. 28 are expected to ratify a proposed merger of Agfa Ansco Corp., into the General Aniline and Film Corp., which owns 81 per cent of Agfa Ansco stock. The latter will lose its corporate identity and be known as the Agfa Ansco Division of General Aniline and Film Corp.

It was explained that the merger is in line with a policy of simplification of corporate structure where possible. Under the plan one share of Class A common stock of General Aniline would be exchanged for each three common shares of Agfa Ansco.

'Cat' Garners Big $25,000, Los Angeles

LOS ANGELES, Nov. 26.—"The Cat and the Canary," with Kenny Baker heading a stage show at the Paramount, drew a strong $25,000. "The Private Lives of Elizabeth and Essex" took $25,500 at two houses, $15,300 at the Warner Hollywood and $12,200 at the Warner Downtown.

Estimated takings for the week ending Nov. 22:

"Daytime Wife" (20th-Fox)
"City in Darkness" (20th-Fox)
CHINESE — (2,500) (30c-$1.00) 7 days. Gross: $8,300. (Average, $12,500)
"Intermezzo" (U. A.)
4 STAR—(900) (40c-50c) 7 days, 2nd week. Gross: $5,200. (Average, $3,250)
"Mr. Smith Goes to Washington" (Col.)
"Everything On Ice" (RKO)
HILLSTREET—(2,700) (30c-65c) 5 days, 4th week. Gross: $6,000. (Average, $6,500)
"Daytime Wife" (20th-Fox)
"City in Darkness" (20th-Fox)
LOEW'S STATE — (2,500) (30c-$1.00) 7 days. Gross: $10,700. (Average, $14,000)
"Mr. Smith Goes to Washington" (Col.)
"Sued for Libel" RKO)
PANTAGES—(3,000) (30c-65c) 5 days, 4th week. Gross: $5,500. (Average, $7,000)
"The Cat and the Canary" (Para.)
PARAMOUNT—(3,595) (30c-65c) 7 days, 4th week. Stage: F. & M. revue, Kenny Baker, Frances Langford, Ken Murray, Jacques Renard and his orchestra. Gross: $25,000. (Average, $18,000)
"The Private Lives of Elizabeth and Essex" (W. B.)
WARNER BROS. (Hollywood) — (3,000) (30c-65c) 7 days. Gross: $13,300. (Average, $14,000)
"The Private Lives of Elizabeth and Essex" (W. B.)
WARNER BROS. (Downtown) — (3,400) (30-65c) 7 days. Gross: $12,200. (Average, $12,000)

'Mr. Smith' Garners $4,800, Milwaukee

MILWAUKEE, Nov. 26.—"Mr. Smith Goes to Washington," in its second week at Fox's Palace, with "Those High Grey Walls" drew a weak $4,800.

Estimated takings for the week ending Nov. 22-23:

"Mr. Smith Goes to Washington" (Col.)
"Those High Grey Walls" (Col.)
PALACE—(2,400) (25c-35c-50c) 6 days, 2nd week. Gross: $4,800. (Average, $4,000)
"Babes in Arms" (M-G-M)
"Here I Am a Stranger" (20th-Fox)
STRAND — (1,400) (25c-35c-50c) 6 days, 2nd week. Gross: $1,300. (Average, $1,500)
"Nurse Edith Cavell" (RKO)
"Dead End Kids on Dress Parade" (W.B.)
WARNER—(2,400) (25c-35c-50c) 5 days. Gross: $3,800. (Average, $4,500)
"Drums Along the Mohawk" (20th-Fox)
"Too Busy to Work" (20th-Fox)
WISCONSIN—(3,200) (25c-35c-50c) 6 days, 2nd week. Gross: $5,000. (Average, $5,500)
"One Hour to Live" (Univ.)
RIVERSIDE—(2,700) (25c-30c-35c) 7 days. Stage: vaudeville. Gross: $6,300. (Average, $6,500)

'Circus' at $10,200 New Haven Leader

NEW HAVEN, Nov. 26.—"At the Circus" and "U-Boat 29" piled up 10,200 at the Loew-Poli.

Estimated takings for the week ending Nov. 24:

"Drums Along the Mohawk" (20th-Fox)
"Too Busy to Work" (20th-Fox)
COLLEGE—(1,499) (35c-50c) 7 days, 2nd week. Gross: $3,500. (Average, $2,700)
"At the Circus" (MGM)
"U-Boat 29" (Col.)
LOEW-POLI—(3,040) (35c-50c) 7 days. Gross: $10,200. (Average, $8,000)
"Disputed Passage" (Para.)
"Zenobia" (U. A.)
PARAMOUNT—(2-348) (35c-50c) 5 days, 2nd week. Gross: $2,800. (Average, $4,000)
"Nurse Edith Cavell" (RKO)
"On Dress Parade" (W.B.)
ROGER SHERMAN—(2,200) (35c-50c) 5 days. Gross: $5,300. (Average, $5,000)

Troupe With Louella Gets Big Crowds

PHILADELPHIA, Nov. 26.—Louella Parsons, Hollywood film columnist, began a week's engagement on the stage of the Earle Friday, bringing with her from Hollywood six "Stars of 1940," and stands a good chance of breaking all attendance and box-office records for the theatre. The first show opened at 9 a.m. with the biggest crowd since Benny Goodman's first visit two years ago.

Film starlets appearing with Miss Parsons are Ronald Reagan and Jane Wyman, who perform a scene from their forthcoming film "Brother Rat and a Baby"; Arleen Whelan, Joy Hodges, Susan Hayward and June Preisser. The film is "The Secret of Dr. Kildare."

The Earle Theatre, only central-city house having stage shows, will close after the Nov. 30 show unless Warner Brothers, owners of the house, reach an agreement with the American Federation of Musicians on how many musicians to employ during the coming year. The contract expires Nov. 30 and the Earle cannot be operated profitably with screen shows only. This has been demonstrated through trials of three-hour shows and at other times second runs of first-class films.

If the Earle closes it would leave Philadelphia without any first-class stage attraction. The Carman, uptown, plays vaudeville, and Fay's, in West Philadelphia, has stage shows somewhat nearer a burlesque level.

Anderson Rites Held

Funeral services were held in Far Rockaway, L. I., yesterday for Andy Anderson, 41, former musical director of Educational Films, who died Friday. Anderson also was employed by the RKO Circuit as solo organist from 1923 to 1938. He was directing his own orchestra at a Long Island night club when he died. Anderson's parents, two brothers, a son and a daughter survive. Burial was at Woodlawn Cemetery.

Republic-Basil Deal

BUFFALO, Nov. 26.—Republic's 1939-'40 program has been booked for the 18 theatres of the Basil Circuit. Jack Bellman, manager of Republic's branch here, and Nicholas Basil, head of the circuit, closed the deal.

Toscanini Records To Public Library

The New York Public Library's music division has received a complete set of records of the concerts conducted by Arturo Toscanini with the NBC Symphony Orchestra during the season of 1938-'39.

The library acknowledged the gift with thanks to the donors, Mrs. Vincent Astor, Electus D. Litchfield, Marshall Field and Walter W. Naumburg.

Haines, Kalmenson To Visit Exchanges

Roy Haines, Eastern sales chief, and Ben Kalmenson, Western sales head, for Warner Bros. left over the week-end for trips to their respective territories for conferences with local branch managers and personnel, on details of the company's forthcoming Sears Drive.

Haines, who left yesterday, will visit exchanges in Pittsburgh, Detroit, Cleveland and Buffalo. He will be gone a week.

Kalmenson, who left Friday night, will visit exchanges in Los Angeles and San Francisco. He will be gone about two weeks.

Wolfe Cohen, Warners' Canadian district manager, with headquarters in Toronto, is on a tour of the company's offices in Calgary, Winnipeg and Vancouver, also in the interests of the company's forthcoming sales drive.

Approve Kentucky Admission Tax Cut

LOUISVILLE, Nov. 26.—Proposals to modify the tax on amusements were approved here by a committee appointed by the mayor to report on the state amusement tax and its probable effect upon the business, with especial attention being directed to the city-owned Municipal Auditorium. The committee reported the Kentucky tax to be the highest in the United States and being influential in preventing cultured shows from coming to the city.

The state tax ranges from one cent on admissions from 11 to 18 cents, to 43 cents on admissions totaling $3. On a $3 admission, $2.33¼ is established price, 24 cents being Federal tax, and 3 cents state tax. The report suggested a tax of one cent for each 25 cents of the basic price of the ticket, beginning at 39 cents.

Birmingham Prices Facing No Changes

BIRMINGHAM, Ala., Nov. 26.—There is no movement for a change in box-office admissions in Birmingham and no likelihood of any soon, according to reports of local exhibitors.

However, in one or two instances prices have been advanced slightly for the showing of favored pictures. Birmingham is definitely enjoying a business boom, but exhibitors are satisfied to keep their houses filled rather than advance prices and possibly have a few seats vacant.

Loew's Answers Suit

Loew's, Inc., on Friday filed answer to the $750,000 triple damage anti-trust suit brought against it, all other majors, Monogram Distributing Corp. and Republic Pictures by the Folley Amusement Holding Corp., former operator of the Folley Theatre in Brooklyn. Loew's answer generally denied all charges that it and other defendants conspired to deprive the plaintiff of product.

Rose Sails for N. Y.

David Rose, in charge of Paramount British production, sailed from Europe on the *Staatendam* Saturday. He will spend several weeks here conferring with Paramount home office officials on future production activities in England.

Odeon Takes Over 7 London Theatres

London, Nov. 26.—A deal by which the Odeon Circuit takes over the operation of seven of Paramount's London theatres was consummated here yesterday.

The Carlton and the Plaza will not be included in the transfer, but it is expected that later negotiations will be conducted for the operation by Odeon of Paramount's five other houses here.

The seven theatres included in yesterday's deal have a valuation of approximately $5,750,000.

Exclusive Acquires All Republic Music

Exclusive Publications, Inc., has acquired the publishing rights to the music of Republic Pictures. First issues will be from "Days of Jesse James" and "South of the Border."

New writers signed by Exclusive include Al Siegel, Dave Rose, Walter Gross, Horace Henderson, Lupin Fien and the team of Abe Tuvim and Paul Baron.

See RCA Spanish Reel

A group of Latin American theatre and film men on Friday attended a screening of "The New Yorker," two-reel promotional film in English and Spanish made by RCA, at the RCA Photophone offices. The showing was in charge of C. D. Cushman, foreign sales specialist.

Free Tickets For Caps Off Milk Bottles

BUFFALO, Nov. 26.—"Enjoy drinking milk and seeing movies" heads a new promotion scheme here by which free movie tickets are offered in return for milk bottle caps.

"Drink fresh milk for health; go to the movies for entertainment . . . and now you can enjoy both economically" is another slogan of the new plan.

Cooperating are the following Shea theaters: Hippodrome, Elmwood, Seneca, Kensington, North Park, Roosevelt and Kenmore. Schine's Riverside and Granada also are making the offer to movie-goers.

For twenty bottle caps and ten cents, an adult ticket to any one of these theaters may be obtained. For fifteen caps and five cents, a child's ticket is offered. This is made possible through the courtesy of several leading Buffalo dairies.

"Drink fresh milk . . . as do the famous stars in Hollywood," a bulletin reads. "They know that fresh milk is necessary for those strong, healthy bodies and those clear, handsome complexions."

'Tom Brown' Star

HOLLYWOOD, Nov. 26.—Jimmy Lyndon, stage actor, has been signed by Towne and Baker for the title role in "Tom Brown's School Days" for RKO release. He was brought here by RKO for "Two Thoroughbreds."

"Jeepers, Creepers! Where'd you get those peepers?"



"JEEPERS CREEPERS"
with
WEAVER BROTHERS and ELVIRY
ROY ROGERS • MARIS WRIXON
A Republic Picture

FCC Approval Sought for 3 New Stations

WASHINGTON, Nov. 26. — Applications for authority to construct three new broadcasting stations have been filed with the Federal Communications Commission by the Dixie Broadcasting Corp., La Grange, Ga., seeking a 1,310-kilocycle, 250-watt station; Midland National Life Insurance Co., Watertown, S. D., proposing a 1,210-kilocycle, 250-watt station, and the Kingsport Broadcasting Co. for a 1,370-kilocycle, 250-watt station at Kingsport, Tenn.

A number of applications for expanded facilities were filed by existing stations, including WJBW, New Orleans, asking an increase of power from 100 to 250 watts; KABC, San Antonio, for change of frequency from 1,420 to 710 kilocycle and increase of power from 250 to 10,000 watts; WKY, Oklahoma City, for increase of night power from 1,000 to 5,000 watts; KOVO, Provo, Utah, for increase of night power from 100 to 250 watts; WISN, Milwaukee, for increase of power from 250 watts night, 1,000 watts day to 5,000 watts night.

Also, WJPR, Greenville, Miss., for increase of night power from 100 to 250 watts; KOIL, Omaha, for increase of night power from 1,000 to 5,000 watts; WDWS, Champaign, Ill., for increase of night power from 100 to 250 watts; KGEZ, Kalispel, Mont., for change of frequency from 1,310 to 1,380 kilocycles and increase of power from 100 to 1,000 watts; KUJ, Walla Walla, Wash., for change of frequency from 1,370 to 1,390 kilocycles and increase of power from 100 to 1,000 watts and KRLC, Lewiston, Idaho, for change of frequency from 1,390 to 1,370 kilocycles.

Increase of night power from 1,000 to 5,000 watts have been asked by KQW, San Jose, Cal., and KMJ, Fresno, Cal.

Other petitions filed include the applications of WGCM, Gulfport, Miss., for authority to move transmitter from Mississippi City to Gulfport and increase night power from 100 to 250 watts; WGRC, New Albany, Ind., for authority to move studio from New Albany to Louisville, Ky., and KVCV, Redding, Cal., for increase of power from 100 to 250 watts.

Canada Postpones Naming CBC Head

TORONTO, Nov. 26.—The appointment of a successor to L. W. Brockington, who resigned Nov. 1 as chairman of the Canadian Broadcasting Corp., will be held in abeyance, it is announced by the Dominion Government, and, in the meantime, the duties of chairman will be filled by Rene Morin, vice-chairman of the CBC board of governors.

This announcement followed the report that the Government itself will take over the direction of the network in a wartime reorganization of the broadcasting system.

Green Eagle Trustee

Charles C. Green has been appointed trustee in bankruptcy for the Brooklyn *Eagle*, to succeed Clarence E. Galston, who resigned Nov. 8.

Radio Brevities

Benton Inge, *World-Telegram* writer, has joined the radio publicity staff at Benton & Bowles.

The "Fitch Bandwagon" has renewed for 52 weeks, effective Jan. 7. It will be heard over 77 NBC-Red stations. L. W. Ramsey Co. is the agency.

Most of the executive staff at NBC gathered at studio 3A the other day to record a 16-inch disc variety show for the amusement of Mary O'Connor, secretary to John F. Royal, vice-president in charge of programs. Miss O'Connor is recuperating from an operation at the French Hospital, and each of the executives contributed a short "bit" to the program.

The New Jersey Bell Telephone Co. has purchased 15 minutes of time for Friday, Dec. 22, over WOR to broadcast its annual songfest. Employees gather at the company's auditorium in Newark and sing Christmas carols.

WMCA started a series of fight broadcasts from the Rockland Palace Saturday night. The fights will be carried from 10 to 10:30 each Saturday night.

NBC-Blue will carry an address by Thomas E. Dewey Wednesday, Dec. 6 at 10 P. M. from Minneapolis.

Florence Rice will be heard Dec. 3, Rosalind Russell Dec. 10, and Edward Arnold Dec. 17, as guest artists on Mutual's show, "Nobody's Children," broadcast each Sunday at 4 P. M. from the Los Angeles Children's Home Finding Society.

"Lum and Abner" have been renewed for the third year by General Foods on behalf of Postum. They are heard Mondays, Wednesdays and Fridays, over 54 CBS stations at 7:15 P.M.

Jason Whitney, president of Chicago City Opera Co., has signed Lucy Monroe, radio soprano, to make her Chicago opera debut opposite Martinelli on Dec. 11

Brown & Williamson Tobacco Corp. started a new show, "Hometown, Inc.," over a split-NBC-Red network Sunday. Virginia Verrill and Wayne Van Dyne will be featured. It will be heard Sundays over 19 stations at 10:30 P.M.

The "Merry Macs" have been signed for another year of recordings by Decca.

Popularity of the first telecast of "Jane Eyre" over NBC has caused the station to plan a repeat performance for Dec. 8.

Three Mutual promotional pieces won special awards at the fifth annual exhibition of printing by the N. Y. Employing Printers Association.

"New York City Forum," with different speakers each week, is the title of a new series which starts Saturday, Dec. 16, at 8:30 P.M. over WMCA.

Musicians' Benefit To Draw 25 Bands

Twenty-five name bands will play tonight at the annual benefit show of the Medical Fund of the Musicians Union, Local 802, at Madison Square Garden.

The floor will be cleared at 10:30 P. M., after a performance by the NBC Symphony Orchestra, and will be available for dancing from then until 5 A. M. WNEW will broadcast the show exclusively from 10:30 until the end. WQXR will carry the symphony concert.

Mayor LaGuardia, who is a qualified trumpet player, will receive a gold card of membership in the local. Only one other person—Arturo Toscanini—holds such a card. Each of the bands will provide 15 minutes of dance music.

La Varre Appeal Heard

ALBANY, Nov. 26.—The N. Y. Court of Appeals here has heard argument on the appeal by William LaVarre, who seeks $50,000 from Warners claiming he was hired to write "The Bedside Manner" to feature Warren William and "The Fatal Woman" and "Yankee Girl," to star Barbara Stanwyck. LaVarre's work was turned down, his appeal states. Opinion is expected within two weeks.

Two Firms Chartered

ALBANY, Nov. 26.—Recent theatre and film incorporations here include: Wright's Motion Pictures, Inc., Jamestown, N. Y., by John H. Wright, Arnold P. Holmberg and Lloyd C. Wright; Long Bee Theatre Corp., New York City, by Howard and J. Charles Zimmerman and Florence Pasternak.

Stockholders Sue Pickford Company

Mary Pickford, Mary Pickford Co., Frank C. Reilly, T. Newman Lawler, Paul D. O'Brien, Dennis J. O'Brien and the Film Treatizor Co. were defendants Friday in a suit filed in New York Supreme Court by James C. Richard, Jr., and Lester and Mildred Soman, stockholders of Film Treatizor Co.

Plaintiffs ask for an unspecified amount of damages for alleged loss of profits to the company. According to the complaint, Miss Pickford controls the Film Treatizor Co., organized in 1935 to sell a patented fluid used to clean film and make it non-inflammable. The defendants, as directors of the company, have wrongfully refused to push sales or exploit the product, it is charged.

RCA Sets 3 Dividends

The board of directors of RCA on Friday declared the following dividends: 87½ cents per share on the outstanding $3.50 cumulative convertible first preferred stock, for the period from Oct. 1, to Dec. 31, 1939, payable Dec. 21 to stock of record Dec. 4; $1.25 per share for the same period, on the "B" preferred stock, payable Dec. 21 to stock of record Dec. 4, and 20 cents per share on the common, payable Jan. 16 to stock of record Dec. 8.

Murals for Rialto

Nat Karson will redecorate the interior of the Rialto with murals illustrative of the action film policy of the theatre. The murals will be unveiled Christmas Day, the fourth anniversary of the remodeled Rialto.

Studio Extras Worry Over Xmas Checks

HOLLYWOOD, Nov. 26. — Fate of Christmas holiday paychecks for film crafts workers lies in the hands of the union negotiators seeking the 10 per cent wage increase.

Should the increase be granted, the studios might find it necessary to slow down production throughout the holidays in order to economize. This they can do and still meet release schedules, for there are more pictures finished and ready for release than ever before.

It has been the custom for production to pick up at holiday time. Hardest hit will be the extras and the day laborers.

Universal is seeking a new western film star, and will make its decision within two weeks. The studio at present does not have a western star under contract, BOB BAKER and JOHNNY MACK BROWN having finished their duties. Whether the studio will develop its own material or sign an already established name has not yet been decided.

M-G-M has loaned BILLIE BURKE to RKO for an important role in "Irene" . . . ALLAN JONES will be starred in "The Count of Luxembourg." at Paramount. The studio has taken up his options for two more pictures because of his work in "The Great Victor Herbert." He leaves Hollywood Nov. 29 for New York where he will appear for two weeks on the stage of the Paramount theatre in conjunction with the showing of the picture.

THOMAS MITCHELL goes to Warners next month for a role in "Three Cheers for the Irish" . . . ANNA LEE WHITMORE, secretary to RICHARD SCHAYER, M-G-M writers' school head, has been given a contract as a writer, following her rewriting of a scene for MERVYN LEROY's "The Ziegfeld Girl." She will assist LEROY on the story.

JOE E. BROWN has become a student at the University of California at Los Angeles, enrolling to become eligible to join Zeta Psi, fraternity to which his two sons, JOE and DON, belong. Over the weekend he submitted to his initiation, being given the same treatment accorded any other pledge.

MAX LAEMMLE has purchased the rights for this territory of "Whirlpool of Desire," French picture banned in New York. Its French title is "Remous."

WALTER WANGER'S "Send Another Coffin" will be released as "Send Another Coffin," after being variously titled as "City for Sale" and "Ladies Know Too Much."

Heads District Critics

C. R. Rosenberry, film critic of the Knickerbocker *News*, Albany, has been appointed governor of the New York-New Jersey district of the National Film Critics Association. All 13 districts, including one in Canada, now have governors.

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 104 NEW YORK, U. S. A., TUESDAY, NOVEMBER 28, 1939 TEN CENTS

Year's Profit Of $1,740,907 By Warners

Loss in Foreign Income, Exchange Rates Cited

Warner Bros. Pictures, Inc., reports operating profit of $1,740,907.86 for the year ended Aug. 26, last, as compared with $1,929,721.32 for the previous year. This is after all charges.

After the current year's dividends on the preferred stock, earnings are equivalent to 36 cents a share on the common stock, exclusive of shares held in the treasury. Operating profit in the 1938 fiscal year equalled 41 cents on the common stock. No preferred dividends have been paid since 1932.

Gross income for the 1938 fiscal period, after eliminating inter-company transactions, was $102,083,131, as compared with $102,205,911 for the previous year.

In addition to operating profit there has been a net credit to earned surplus of $198,437, while capital surplus has been increased by $107,096.

The decline in foreign income and exchange rates since September has not only affected the total gross but also "serves to reduce film rental income in the later periods of release

(*Continued on page 3*)

Films on Broadway Do Smash Business

All first runs enjoyed a smash weekend as the four-day Thanksgiving holiday sent grosses upward.

At the Music Hall, "Ninotchka" continued to set the pace despite the fact that the film is now in its third week. Aided by a stage show, "Ninotchka" drew an estimated $84,000 for the first five days of the third stanza, with $106,000 indicated for the week.

The Paramount had its best Thanksgiving weekend since 1932 with "The Cat and the Canary" on the screen, and Tony Martin and Jan Savitt's band on the stage. The first week, which ends tonight, should bring an estimated $58,000. "Daytime Wife," with a stage show, opened strong at the Roxy, drawing an estimated $36,000 for the first five days. Third week of "Drums Along the Mohawk" drew an estimated $34,500 there, with the last week cut down to six days.

At the Strand, "The Roaring

(*Continued on page 3*)

Majors Condemn Japan's Tactics

Tokio, Nov. 27.—Representatives of Warners, United Artists, Paramount, 20th Century - Fox, RKO and M-G-M have asked U. S. Ambassador Joseph C. Grew to file a formal protest against what they term discriminatory tactics and restraint of trade on the part of the Japanese Government.

Grew was told that more than $1,500,000 in revenue is "frozen" in Japan as a result of the Government's refusal to grant remittance permits. It also was claimed that many films were held without reason by Yokohama customs officials.

Mayor Tells Ticket Code Stand Today

Mayor LaGuardia will make his action on the Spellman bill known today in a message to the City Council. The Spellman bill, which permits theatre owners to limit advances by ticket brokers to 75 cents above box-office prices, was passed by the Council more than a month ago, and the mayor's time to veto or sign the bill expired on Saturday.

It was learned yesterday, however, that the mayor had taken action on the bill and will reveal it today.

Yesterday, the League of New

(*Continued on page 3*)

WAGE FIGHT STILL BREWS ON COAST

Wage Issue Is Out At Newark Parley

No wage increases are scheduled to be asked by the four international unions which are slated to meet with major company representatives and Pat Casey in Newark next Tuesday for a resumption of discussions of matters pertaining to the studio basic agreement, union representatives said yesterday.

The four internationals, signatories of the basic agreement, are the American Federation of Musicians, International Brotherhood of Carpenters & Joiners, I. B. of Electrical Workers and I. B. of Teamsters & Chauffeurs.

According to present indications, the meeting will be concerned only with routine matters which have arisen since the last meeting on the basic pact in Newark in the early Summer.

Casey, producers' labor representative, will leave the Coast for New York today or tomorrow, arriving here at the end of the week.

With his arrival here, Casey's headquarters will be transferred from the Coast, in line with the recent revision of the producers' Hollywood labor forces under which Casey was delegated to spend the major part of his time here.

Unions Will Act to Keep Increase; Producers Meet Thursday

HOLLYWOOD, Nov. 27.—The Hollywood scene, disheveled last Friday and Saturday as a general strike of the motion picture industry seemed inevitable, continued to show a disturbed demeanor today.

Both producers and unions, the latter victorious in their demands for a 10 per cent wage increase, made preparations to press the controversial wage issue anew. Producers are reluctant to admit defeat while the unions are anxious to preserve their newly-won pay increase.

The Conference of American Federation of Labor Studio Unions has scheduled a meeting tomorrow, at which time plans will be formulated for the permanent retention of the 10 per cent raise which the producers will demand the unions to surrender "on or about Feb. 15." Twenty-four unions are members of this Conference.

William Bioff, chairman of the Conference, said today that the unions intend to amass information to prove to producers that the paring of salaries, if any, should be done to those in the high salary brackets such as producers, executives, actors, writers and directors.

There was considerable speculation over the reasons for the wholesale invasion of Hollywood by Eastern executives at this time.

It was indicated that increasing labor costs, plus the necessity for curtailing production expenses, are the immediate causes for the arrival of home office officials.

There was a mass influx of New York executives over the weekend. Will H. Hays arrived today. An important meeting of the Association of Motion Picture Producers is scheduled Thursday night.

Assured Good 'Wind' Profit, Exhibitors Call Terms Fair

First exhibitor reaction here to M-G-M's sales policy of 70 per cent on "Gone With the Wind" is that the rental is not excessive inasmuch as the company is guaranteeing a profit on all runs on which it can set the exhibition policy.

One circuit operator recalled that several years ago a picture was played at 65 per cent above house expenses, and that the bookings generally returned a profit.

Another exhibitor declared that the terms asked indicate a confidence on the part of M-G-M that the picture will be one of the biggest money makers in film history.

While turnover on "Gone With the Wind" will be reduced because of the running time of three hours and 40 minutes, exhibitors figure that the advanced admission prices and expected increased attendance will overbalance that factor.

The plan limiting bookings on the film to a selected number of theatres until general release in the Fall of next year is similar to a policy of the Loew circuit in a few cities several years ago. At that time the circuit had "exclusive runs" of M-G-M and United Artists product at first run theatres.

In addition to the six cities already announced, "Gone With the Wind" will open at the Boyd, Philadelphia, late in December.

M-G-M Executives Return from Chicago

Al Lichtman, Fred C. Quimby and Howard Dietz arrived yesterday from Chicago, where the sales policy on

(*Continued on page 3*)

Montreal Theatre Official Vanishes

MONTREAL, Nov. 27.—Montreal and Quebec provincial police today started a widespread search for one of the city's leading theatre men when the family of Charles Edward Kibby, chief accountant of Consolidated Theatres, Ltd., reported that he had not been seen since Saturday morning. Arthur Hirsch, president of Consolidated Theatres, denied reports that there was shortage in Kibby's accounts. It is believed Kibby is an amnesia victim.

Government Averts Strike Of Mexicans

By JAMES LOCKHART

MEXICO CITY, Nov. 27.—A strike for higher wages and economic concessions that would have closed all the film houses in Coahuila State, on the American border, was averted by the Federal Labor Department, which induced the employes to compromise on their demands.

Objections of Mexican patrons forced the elimination from the French picture, "Gibraltar," of a sequence showing a Frenchman beating a South American. The sequence had been passed by the Mexican censor.

William Oscar Jenkins, who, with a group of experienced Mexican exhibitors, started a theatre building program in the provinces in 1937, is to open four of his houses during the Christmas season. The theatres, accommodating from 3,000 to 4,500 each, are in Guadalajara, this country's second largest city, and the port of Vera Cruz, Jalapa and Orizaba, Vera Cruz State.

Mexico's largest house, the Cine Colonial, seating 7,000, is nearing completion here. It is to be the hub house of the circuit of 17 theatres operated by Samuel and Oscar Granat.

Those who plan film houses in the Federal District, which includes this city, must have plans for the theatre approved if they are to continue selling stock in the enterprise.

Majors Ask Details In Nashville Action

Papers in support of the major company defendants' motion for a bill of particulars from the Department of Justice in the anti-trust suit against Tony Sudekum's Crescent Amusement Co. of Nashville, were filed in the Federal court there yesterday and served on Department of Justice representatives. The Federal court at Nashville will set a date for a hearing on the motion in the near future.

Lillian Hellman Signed

Lillian Hellman has been signed to write the screenplay for "Our Town," Pulitzer Prize play to be filmed by Sol Lesser for United Artists release. Lesser, who arrived from Hollywood last week, has signed Frank Craven as commentator.

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A. A. SCHUBART, manager of exchange operations for RKO, returned yesterday after a tour of several exchanges.

•

JOSEPH MCELHINNEY, 20th Century-Fox salesman in Salt Lake City, who has been promoted to manager of the Singapore branch, will sail Dec. 23 from San Francisco to start his new duties.

•

KAY KYSER, GINNY SIMMS and the "entire Faculty" of Kay's College of Musical Knowledge will be honored today by RKO at a cocktail party at the Starlight Roof.

•

MIRIAM F. BRANDON, daughter of BENNETT J. BRANDON, and VIVIAN M. MOSES of the RKO advertising and publicity department were married Friday in Newark.

•

N. PETER RATHVON, member of the new RKO directorate, returned yesterday from an extended trip through the Far West.

•

O. C. DOERING, JR., of counsel to the RKO trustee, is in Wisconsin on a hunting trip. He is due back next week.

•

TRACY BARHAM, Paramount theatre associate with headquarters at Hamilton, O., is here for home office conferences.

•

F. W. HUSS, JR., president of Associated Theatres, returns to his office this week after an absence of several days due to illness.

•

SOL GORDON of Beaumont, Texas, is in the city for Paramount home office conferences.

•

EDWARD C. RAFTERY, United Artists attorney, was in Baltimore yesterday on business.

•

HARRY M. BESSEY, Altec secretary-treasurer, is back at his desk after a week's trip to the South.

•

MR. and MRS. SOL LESSER are in town.

•

PAT GARYN is in town from Texas to close several deals.

•

ERICH POMMER left for Hollywood over the weekend.

Cowdin at Studio

J. Cheever Cowdin, Universal board chairman, arrived on the Coast yesterday by plane for a week of production conferences with Nate J. Blumberg, president, and studio executives. While Cowdin is expected back in New York next Sunday or Monday, Blumberg will remain in Hollywood for two or three weeks.

Hedy Lemarr Back

HOLLYWOOD, Nov. 27.—Hedy Lamarr has reported "unconditionally" for work under her M-G-M contract, according to the studio. Her first activity will be in making added scenes for the shelved "I Take This Woman" in which she appeared opposite Spencer Tracy. No comment was forthcoming as to whether the star's salary complaint was settled.

MR. and MRS. JOHN MORONEY, and JOHN MORONEY, JR., leave for Dallas today after a couple of weeks in the North.

•

JOSEPH BERNHARD, WILLIAM A. SCULLY, CHARLES E. MCCARTHY, JOSEPH COOPER, JAMES R. GRAINGER, DAVID A. LEVY, CHARLES SONIN and MAX A. COHEN at Nick's Hunting Room in the Astor for lunch yesterday.

•

CHARLES MACARTHUR, JOHN D. HERTZ, JR., BAYARD VEILLER, A. P. WAXMAN, JIMMIE SAVO, AL LEWIS, E. L. LOPERT and JOHN GOLDEN lunching at Sardi's yesterday.

•

MRS. FRANK DONALDSON of Berlin, N. H., visited with her son, TOM DONALDSON, Metro exchange manager in New Haven, for three weeks.

•

JACK FINDLAY, Westerly and Mystic, Conn., exhibitor, has returned to his home after a minor operation at Westerly Hospital.

•

ANTONIO A. ROMANO, general manager of Associated in Providence, is spending the week in New York and Atlantic City.

•

WALTER LAPLATTE of the Star, Poultney, Vt., has returned from a successful hunting trip in the Green Mountains.

•

TOM MURRAY, Universal manager of branch operations, spent last weekend in Albany with JOE ENGEL, branch manager.

•

NAT LEVY, RKO Eastern district manager with headquarters in Philadelphia, is conferring at the home office.

•

GEORGE J. SCHAEFER, JACK PEGLER and SAM SHAIN lunching at the Waldorf Astoria Grill yesterday.

•

GRADWELL L. SEARS, Warners general sales manager, is due late this week from a Southern trip.

•

WILLIAM A. LONDON of Associated Theatres, Detroit, has returned there after a New York visit.

•

ARCHIE MAYO, director, plans to stop here for a few days en route to Cuba for a vacation.

•

JOAN BENNETT will be in New York soon to participate in several radio broadcasts.

•

DON GLASSMAN of NBC's publicity department has returned from St. Louis.

•

J. DON ALEXANDER has returned to Colorado Springs after a week's visit here.

•

GEORGE RAFT will come East from the Coast shortly for a brief vacation.

•

H. M. RICHEY of RKO is fighting a cold.

For Lunch, Dinner or Supper

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The Industry's
MEETING and EATING PLACE
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Britons Ready To Apply New Films Policy

LONDON, Nov. 27.—Several branches of the industry here are engaged in individual conferences to determine future policies in the light of the statement last week of Oliver Stanley, Board of Trade president, indicating the Government's decision on remittances and the film industry.

Exhibitors will meet tomorrow with Capt. Richard Norton to discuss his production plan, based on guaranteed exhibitor rentals. It is believed the plan is in an advanced stage, with strong exhibitor backing. Many favor such a company having its own distribution machinery.

Producers and labor interests will confer this week. Distributors already have presented suggestions for amendments to the Films Act to Stanley. Stanley's statement that certain amendments are necessary is seen as indicating a readiness to make changes following industry representations.

It has been suggested that the American angle not be emphasized in any Films Act amendment; that the minimum figure on reciprocity cost films be lowered to permit a wider range, and that the restriction on the use of foreign stars and technicians be lifted.

Warners Sell Away From Sparks Circuit

Warners are selling away their 1939-'40 product from the E. J. Sparks circuit in Florida, due to an inability to agree on terms.

"We are developing our own outlets in the Sparks territory, and have already made deals with independents in Jacksonville and St. Petersburg," said Carl Leserman, assistant general sales manager. "Similar deals are being negotiated elsewhere."

Third Week of Suit

Plagiarism suit of Robert Sheets asking $1,000,000 damages from 20th Century-Fox is now in its third week before Justice James W. Morris in Federal District Court in Washington. The defense is expected to start its case today.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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'Wind' Terms Called 'Fair' By Exhibitors

(Continued from page 1)

"Gone With the Wind" was detailed to M-G-M district and branch managers.

William F. Rodgers, who presided at the sales meeting, will head a home office delegation returning from Chicago today. The group includes Thomas J. Connors, Alan F. Cummings, Edwin W. Aaron, Jay A. Gove, J. S. MacLeod, William Levine, M. L. Simons, Harold Postman, Joel Bezahler, I. Leonard Hirsch, Charles E. Deesen and Irving Helfont.

Henry L. Nathanson, general manager of Regal Films, Toronto, and Gordon Lightstone, recently appointed general sales manager of Regal, represented M-G-M's Canadian organization at the meeting.

Ferguson in Atlanta

William R. Ferguson, exploitation manager of M-G-M, is due tomorrow from Atlanta where he is lining up the world premiere of "Gone With the Wind" at Loew's Grand Dec. 15. This was Ferguson's third visit to Atlanta in connection with the opening.

Mayor William B. Hartsfield and other civic dignitaries are sponsoring the welcoming committee which will greet M-G-M and Selznick International executives and members of the cast who will attend the southern premiere. Governor Rivers of Georgia heads the welcoming committee. Kay Kyser, among others, will be on the receiving line.

Legion Approves 10 New Pictures

The National Legion of Decency has approved all of the 10 new pictures reviewed for the current week, six for general patronage and four for adults. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage: "Beware Spooks," "Blondie Brings Up Baby," "Cowboys from Texas," "Rovin' Tumbleweeds," "Saga of Death Valley," "That's Right, You're Wrong." Class A-2, Unobjectionable for Adults—"Bodas de Sangre" (Spanish), "Day-Time Wife," "Secret of Dr. Kildare," "Tower of London."

Examine Green Dec. 1

Notice of examination of Benjamin Green, president of Lenrose Amusement Corp., plaintiff in a $150,000 triple damage suit against the majors, was filed yesterday by the defendants in U. S. District Court. The examination which is scheduled for Dec. 1 refers to claims of the plaintiff that its theatre in Newark cannot obtain product.

Drops Shows for Week

CINCINNATI, Nov. 27.—The 2,150-seat RKO Shubert, playing stage shows and pictures, will show pictures only for the week of Dec. 1, when Eddie Cantor and his revue play the 3,300-seat RKO Albee. The Shubert will resume its combination policy the following week.

Critics' Quotes . . .

"RULERS OF THE SEA"

A high rating picture on the entertainment gauge (*Dallas Times Herald*). It is fiction with a historical basis. It's a braw, brave movie, splendidly staged (*Chicago Tribune*). A stirring and romantic film (*Chicago Daily Times*).

"GERONIMO"

Lusty with action and melodramatic excitement (*Los Angeles Times*). A sturdy tale of heroism and adventure (*L. A. Daily News*). Indian wars thrillingly set forth. . . . Done on a magnificent scale (*L. A. Examiner*).

"THE TOWER OF LONDON"

An extraordinarily interesting picture (*Hollywood Citizen-News*). A somber study of murders and tortures . . . will meet an engrossing test at the box-offices of the country (*L. A. Times*). It becomes realistic, believable melodrama that will keep you in a tingle (*L. A. Examiner*). Fair . . . dusts off musty old pages of history (*L. A. Herald-Express*).

Mayor Gives Films Dealing Job to Aide

Efforts to bring film production to New York will be continued by city officials despite the fact that Mayor LaGuardia has transferred the burden of the campaign to his assistant, Clendenin Ryan, and further efforts will be consolidated with a general campaign to bring new industries here, it was stated yesterday at City Hall.

Mayor LaGuardia has organized a new Chamber of Commerce within his official administration, with Ryan in charge. The general aim of the department will be to win new industries for the city. While film production will be included in this general objective, it will comprise only a single phase of a much broader program, it was said.

No assurances that RKO would engage in production in the East were given by George J. Schaefer in his discussion of the subject with Mayor LaGuardia last Friday, according to informed sources. Schaefer, it was said, limited himself to assuring the Mayor that RKO stood willing to consider for distribution and exhibition any worthwhile product which originated here. This represents no innovation in the policy of RKO or other major companies, it was pointed out.

Majors Deny Folley Conspiracy Charges

Paramount, 20th Century-Fox, Universal and the Big U Film Exchange filed answer yesterday in U. S. District Court to the $75,000 triple damage anti-trust suit brought by Folley Amusement Holding Corp. against them, all other majors, Republic Pictures and Monogram Distributing Corp.

The answer denied charges that the plaintiff was forced to close down the Folley Theatre in Brooklyn because of an alleged conspiracy to deprive it of product.

Make Canada War Film

TORONTO, Nov. 27.—W. D. Euler, a member of the Dominion Cabinet and chairman of the National Film Board, has announced that a Canadian film unit is producing a picture covering the principal aspects of Canada's mobilization for the present war which is to be released in the near future.

Mayor Tells Ticket Code Stand Today

(Continued from page 1)

York Theatres met with independent ticket brokers to discuss the new ticket code, but neither side would comment after an all-day session. Gustave A. Gerber, attorney for the brokers, is expected to reveal the brokers' stand today.

The principal difficulty yesterday appeared to be the question of back payments due under the existing code. Whatever the decision, Actors Equity council will have the matter of the ticket code up as a special order of business at its meeting this afternoon. The existing code has been extended until midnight tomorrow.

Mexico Tax Repeal Pleases U. S. Trade

Executives of major company foreign departments here expressed gratification yesterday over the repeal of Mexico's absentee tax of four per cent on money exported from the country. the action, taken by President Cardenas late last week, became effective yesterday.

Home office foreign executives said that the film industry had not protested against the tax nor agitated for its repeal. They ascribed its rescinding to internal factors, either the faliure of the law to accomplish its purposes or the creation of a financial reserve within Mexico through other channels.

Warners Survey on Short Subjects

Likes and dislikes in short subjects will be determined by a questionnaire which Warners Bros. is sending to more than 5,000 exhibitors. Last year Norman H. Moray, Vitaphone sales manager, quizzed 4,400 theatre men. Increased playing time for Warner shorts was the result, he said.

Postpone Cartoon Vote

WASHINGTON, Nov. 27.—The National Labor Relations Board on Friday postponed a collective bargaining election among animated cartoon workers of Walter Lantz Productions, Loew's Raymond Katz Studio and Leon Schlesinger Productions Corp. The election is now to be held on or before Jan. 16.

Films Score Smash Trade On Broadway

(Continued from page 1)

Twenties," with Bob Crosby's orchestra on the stage, drew an estimated $43,000 in its second week, and took an estimated $23,000 over the weekend. "Beasts of Berlin" grossed an estimated $13,000 at the Globe, and started its second week with approximately $3,800 over the weekend.

"Destry Rides Again" bows in at the Rivoli tomorrow. Another premiere set for tomorrow is "That's Right, You're Wrong" at the Criterion. A gala opening is planned at the Criterion, with the house being closed from 4 P. M. to 7.

New Orleans Houses Expect Good Season

NEW ORLEANS, Nov. 27.—Although shortened by the early approach of Mardi Gras Day (Feb. 6) exhibitors and other entertainment interests here look for the best winter season in a decade. Thanksgiving raised the curtain on the four-month horse racing season which formally opens the winter period each year. Enlargement of the Sugar Bowl to seating capacity of about 78,000 still leaves very few unsold tickets for the New Year Day climax.

Several leading exhibitors are crediting record-breaking attendance at local football games for SRO signs on Saturdays and Sundays as thousands come to town.

Warners Has 1939 Profit of $1,740,907

(Continued from page 1)

which, in accordance with the company's method of amortizing film production costs, accelerates the write-off in the earlier periods," the company states.

Revisions have therefore been made to provide, in the amortization table, for the anticipated decline in foreign revenue.

Appraising fixed assets in foreign territories at dollar costs, on the basis of depreciated rates of exchange, has resulted in a credit of $541,380 which will be transferred to income account as the liabilities are paid.

Films for Goodwill

Members of the Conference on Association Publicity tonight will attend a meeting on "motion pictures and their use in building goodwill" in the projection room of Willard Pictures, 130 46th St. There will be a discussion on production costs and distribution of 16mm. films. Several films made for associations and clubs will be screened. G. K. Dahl will preside.

Split Contest Prize

TORONTO, Nov. 27.—Competition proved so keen for the cash prize of $100 offered by Empire-Universal Films, Ltd., for the best exploitation campaign anywhere in Canada on "Man of Conquest" that the judges agreed to split the prize between Thomas McKnight, manager of the Patricia, London, Ont., and L. M. Moore, manager of the Grand, Sudbury.

IF AUDIENCES WANT



More laughs per foot of film than any picture we've seen this season!



A "PINCH" . . . AND A HUG!



HAIR-RAISING MYSTERY!

"Swell comedy that should please in any situation...perfect screen fare for the laugh loving audiences of today."
—Showman's Trade Review

"Loaded with laughs...swell dialogue ...original situations...uproarious entertainment down to the last scene."
—Los Angeles Examiner

"A peak load of humorous entertainment...merit enough to entitle all hands to a congratulatory slap on the back."
—Motion Picture Daily

IT ROLLED 'EM IN THE AISLES AT THE ORPHEUM IN NEW ORLEANS!

"...a new high in comedy drama!"
—New Orleans Item

TO LAUGH HERE IS A LAUGHING TRIUMPH!



ARRESTING SITUATIONS!

Selected by the Bijou Theatre, Springfield, Mass., and E. M. Loew's Theatre, Hartford, Conn., for their Thanksgiving Attraction.



A FEAST OF MIRTH!

MELVYN DOUGLAS • JOAN BLONDELL

The Amazing Mr. Williams

with

RUTH DONNELLY · CLARENCE KOLB · EDWARD BROPHY · JOHN WRAY

Screen play by Dwight Taylor, Sy Bartlett, Richard Maibaum

Directed by ALEXANDER HALL · Associate Producer EVERETT RISKIN

COLUMBIA PICTURES

HORROR GE



"TOWER" breaks week-end record, Majestic Theatre, Providence... "TOWER" shoves Alvin Theatre, Pittsburgh 50% above record opening!.. "TOWER" booked into 45 RKO theatres, New York, day and date!!!

"A picture of which the industry can justly be proud for sheer quality in every department... Here is history unsoftened... amazingly vivid!"
—Hollywood Reporter

"One of the most unusual features ever produced... A witch's Sabbath of destruction ... Breaks away from the conventions!
—Los Angeles Times

TS SCREAMS

=SCREAMS of PRAISE!



"Realistic, believable melodrama that will keep you in a tingle of excitement!...Some dastardly deed is always about to happen, and it usually does—right before your eyes!"
—Los Angeles Examiner

"Written in blood... Makes Rathbone contender Oscar consideration..Karloff's previous Frankenstein' characterizations dwarfed!"
—Daily Variety

TOWER of LONDON

starring

BASIL RATHBONE

with

BORIS KARLOFF • BARBARA O'NEIL
IAN HUNTER • VINCENT PRICE
NAN GREY AND A CAST OF THOUSANDS

Original screenplay by Robert N. Lee
Produced and Directed by ROWLAND V. LEE
A ROWLAND V. LEE PRODUCTION
A NEW UNIVERSAL PICTURE

33 New Films Are Shooting In Hollywood

HOLLYWOOD, Nov. 27.—Thirty-three pictures were before the cameras this week as five were started and five were finished. Twenty-four are being prepared and 82 are in the cutting rooms.

Tabulation, company by company, follows:

COLUMBIA—Finished: "His Girl Friday" and untitled Charles Starrett vehicle.
In Work: "The Lone Wolf Strikes."
Started: None.
GOLDWYN—Started: "The Westerner."
M-G-M—Finished: None.
In Work: "Broadway Melody of 1940," "Strange Cargo," "Arouse and Beware," "The Shop Around the Corner," "Congo Maisie," "Florian," "Young Tom Edison," "New Moon."
Started: None.
PARAMOUNT — Finished: "The Road to Singapore."
In Work: "The Biscuit Eater," "Buck Benny Rides Again," "Safari," "At Good Old Siwash," "Man from Bar 20."
Started: "The Way of All Flesh."
PRODUCERSS PICTURES — Finished: "Mercy Plane."
In Work: None.
Started: None.
RKO—Finished: None.
In Work: "Vigil in the Night," "Swiss Family Robinson," "The Marines Fly High," "Saint's Double Trouble," "The Primrose Path."
Started: None.
ROACH—Finished: None.
In Work: "Two's Company," "1,000,000 B. C."
Started: None.
20TH CENTURY-FOX—Finished: None.
In Work: "Young As You Feel."
Started: "Shooting High."
UNIVERSAL—Finished: "Honeymoon Deferred."
In Work: "Charlie McCarthy, Detective," "My Little Chickadee."
Started: "The Road to Romance."
WANGER—Finished: "The House Across the Bay."
In Work: None.
Started: None.
WARNERS—Finished: None.
In Work: "Virginia City," "The Life of Dr. Ehrlich," "We Shall Meet Again."
Started: "It All Came True."

16 Buffalo Theatres Institute Book Night

BUFFALO, Nov. 27.—Book Night has come to Buffalo with 16 neighborhood theatres planning its introduction this week. Book Night certificates are given free with each adult Book Night admission. Two certificates are required for each of 15 volumes of an encyclopedia, with a choice of bindings.

Theatres cooperating are Schines' Granada and Riverside, the Capitol, Colonial, Columbia, Commodore, Kensington, New Ariel, Rialto, Rivoli, Seneca, Unity, Capitol in Niagara Falls, Avondale in North Tonawanda, Lancaster in Lancaster, and Glen in Williamsville.

Washington Showmen To Decide Affiliation

SEATTLE, Nov. 27.—The officers and executive board of the state exhibitor organization, formerly the M.P.T.O. of Washington, will meet here Dec. 5 to give further consideration to joining the Pacific Coast Conference of Independent Theatre Owners.

President L. O. Lukan and Executive Secretary James M. Hone will present information regarding the Coast group, after which it is expected that the local board will make a final decision.

Hollywood Review

"The Return of Dr. X"

(Warners)

HOLLYWOOD, Nov. 27.—This nameful adventure in shudders is manifestly for the horror trade, a well wrought item in the cavalcade of terror films, about as plausible as any, and more so than some. The names are Humphrey Bogart, Rosemary Lane, Wayne Morris, Dennis Morgan, John Litel, Lya Lys, Charles Wilson and Huntz Hall, to mention the more marquee-worthy members of a big cast. Their performances are as realistic as may be in view of the fantastic character of what goes on.

The production is from the Bryan Foy side of the Warner schedule, directed by Vincent Sherman from a screenplay by Lee Katz and a story by William J. Makin. Threads of the tale are held together by a central story which has Mr. Morris as a reporter in and out of a job according to circumstances and developments. These latter are somewhat terrific.

The Dr. X of the title, played by Bogart, has been brought back from the grave, following electrocution, by another doctor who has perfected a means of de-coagulating blood after rigor mortis has set in. The revived doctor, something of a scientist in his own right, it will be remembered, finds that he requires a steady supply of a certain type of human blood to continue living, so he goes about murdering people possessed of that type and using it for his own perpetuation. Adventures aplenty result, which is what the picture is all about.

Running time, 78 minutes. "G."* ROSCOE WMS.

**"G" denotes general classification.*

Canada Film Board Bars Interference

TORONTO, Nov. 27.—Official assurance has been given that the Dominion Government will not interfere with distributors or exhibitors in Canada through its newly-created National Film Board, of which John Grierson is Film Commissioner.

"The new board's chief concern will be the organization of a central Government film distribution and public information service," an announcement reads. "There will be no interference with commercial film organizations. The general purpose of the board is to coordinate the film activities of various governmental departments with a view to securing quality, economy and efficiency in the production and distribution of Government films."

Grierson will make a 15-minute radio talk on "Films and the War" Thursday evening.

Buffalo Milk Bottle Cap Plan Faces Ban

BUFFALO, Nov. 27.—Redemption of milk bottle caps as part payment on admissions to picture theatres may be banned by the Health Board here as a sanitary measure.

The scheme was inaugurated last week by several dairies to promote their products. Health Commissioner Francis E. Fronczak said he already has received several complaints against the plan. "The children take the caps off the bottles as soon as the milk is delivered, and it isn't a healthy practice to permit uncapped bottles to stand," he said. "I am also informed that garbage cans are being searched for discarded bottle caps."

Cantor Picture Set

HOLLYWOOD, Nov. 27.—Eddie Cantor's first starring film for M-G-M will be "Forty Little Mothers," based on an original French story, "Monsieur Petiot" by Jean Guitton. Busby Berkeley will direct, with Harry Rapf as producer.

Exploitation

Jingle Contestants Win Columbus Passes

COLUMBUS, O., Nov. 27.—C. Harry Schrieber, manager of the RKO Palace, is awarding five pairs of guest tickets daily to the person submitting the most appropriate last line to a different jingle published each day in the Gift Section of the Columbus *Dispatch*. The paper also awards a $2 merchandise order.

Co-Eds Handle House To Plug Kyser Film

BUFFALO, Nov. 27.—Richard Kemper, manager of the new Twentieth Century, is exploiting the Kay Kyser film, "That's Right, You're Wrong," turned the theatre's operation over to seven co-eds from the University of Buffalo, from manager down.

Officials Start Drive To End Troy Bingo

TROY, N. Y., Nov. 27.—District Attorney Charles J. Ranney of Rensselaer County will seek lottery indictments against operators of Troy Bingo games before the December grand jury here as a result of raids made over the weekend in two halls.

Police and representatives of the district attorney's office visited two halls where Bingo was in progress, taking pictures of the contest in operation and of the players and placards announcing the prizes.

Katz Charity Bequests

CHICAGO, Nov. 27.—Jewish charities and the Chicago Community Fund will receive a total of $9,500 from the $25,000 estate left by Morris Katz, one of the founders of the Balaban & Katz circuit.

RKO in Circuit Deals

RKO has closed deals for the 1939-'40 product with Balaban & Katz Circuit of Chicago and the Great States Circuit of Illinois.

Notes on Radio Personalities And Programs

Mutual will carry the awarding of the *Sporting News* prize to the top baseball announcer of the year on Wednesday, Dec. 6, at 4:30 P. M. Leading baseball figures will be heard in the broadcast with Red Barber, Mutual's announcer, the likely winner.

Gustav Haenschen, orchestra conductor on the Pet Milk "Saturday Night Serenade," heard Saturdays at 9:45 P. M. over CBS, celebrates his 15th anniversary on the air Saturday.

Barry T. Rumple, chief statistician at the NBC research department, has been elevated to the post of administrative head of the department, H. M. Beville, Jr., research manager, disclosed yesterday. Edward F. Evans, assistant to the research manager, will act as assistant on all sales and promotional research, including surveys.

Jean Hersholt will move his "Dr. Christian" series to New York on Dec. 6, when he and his wife arrive here to spend the Christmas holidays with Lauritz Melchior, Metropolitan Opera star. The program is heard Wednesdays at 10 P. M. over 61 CBS stations.

"Your Protege" is the title of a new series which began last night over WNEW. It will be heard Mondays at 10 P. M. and will require a mentor to introduce his protege. The program will originate from the Adams Theatre, Newark.

Hedda Hopper started a dramatized version of Gene Autry's life over CBS yesterday. The two subsequent installments will be heard tomorrow and Friday at 6:15 P. M.

N. Y. Offices Set Up By Fourth Network

Transcontinental Broadcasting System, the new network established by Elliot Roosevelt and John T. Adams, set up offices yesterday at 570 Lexington Avenue and revealed that it plans to start operations New Year's Day. Disclosure of the web's initial sponsors is expected today.

Stations included in the new network will be WMCA, New York; WJJD, and WIND, Chicago; KFWD, Hollywood; KYA, San Francisco; KQV, Pittsburgh; KXOX, St. Louis; KCMO, Kansas City; WMEX, Boston; WDGY, Minneapolis; the Northwest Broadcasting network and the Texas State network.

Neither Mutual nor Transcontinental officials could be reached for comment yesterday on the question of Mutual's contract with Roosevelt's Texas State network. Mutual claims to have an exclusive contract with Texas State until Sept., 1941.

A weekly total of "around 35 hours of sponsored time" with an income "in excess of $6,000,000 a year," is assured, according to Adams.

Shaw Is Promoted

Donald S. Shaw has been appointed executive vice-president of WMCA in charge of personnel and station operations as well as sales.

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 105 NEW YORK, U. S. A., WEDNESDAY, NOVEMBER 29, 1939 TEN CENTS

N. Y. Censor Rejected 24 Films in Year

1,920 Reviewed, Board Receipts $296,023

ALBANY, Nov. 28.—The New York State Censor Board, headed by Irwin Esmond, for the year ended June 30, last, rejected entirely 24 pictures out of 1,920 reviewed, and earned in receipts $296,023.50 compared with $304,073.83 earned the previous year.

In the year ending June 30, 1938, the censor board rejected 23 out of a total of 1,955 pictures reviewed.

Expenditures totaled $67,296.45, leaving net revenue to the state of $230,727.05, compared with $239,425.22 the year before.

Since its organization in August, 1921, the Motion Picture Division and its predecessor, the Motion Picture Commission, has netted $2,768,049.07. In that time, 363 films have been entirely rejected and more than 40,000 eliminations made.

Foreign films submitted for licensing in New York State increased, with 485 submitted from 20 countries: Great Britain, Germany, France, China, Mexico, Czechoslovakia, Poland, Sweden, Hungary, Russia, Italy, Egypt, Finland, Ireland, Spain, Argentina, Switzerland, Norway, Cuba and Denmark.

Statutory reasons for the 1,334 scenes eliminated were: indecent, 433; inhuman, 65; tending to incite to crime, 286; immoral or tending to corrupt morals, 508; sacrilegious, 42.

In all, nearly 9,000,000 feet of film

(*Continued on page 5*)

Keep Ticket Code; Mayor Vetoes Bill

The ticket code was renewed for an additional year by Actors Equity yesterday at the same time that Mayor LaGuardia vetoed the Spellman bill to limit ticket brokers' advances to 75 cents over box-office prices.

In extending the code for an additional year, Equity insisted on several last minute revisions and the contract will not be signed until after the League of New York Theatres meets Friday to accept them. No opposition is anticipated at the League meeting.

Independent theatre brokers continued to voice objections to the new code, but Equity took the position that it was up to the producers to bring the brokers into line. Revisions made

(*Continued on page 2*)

Seek New Chicago Board of Censors

Chicago, Nov. 28.—Charging that the Chicago censor board is "antiquated and undemocratic," the Civil Liberties Committee is seeking its abolishment.

Some members of the present censor board have served as many as 25 years.

The Civil Liberties Committee has recommended to the City Council that it pass an ordinance establishing a new five-member censor board composed of persons not connected in any way with the police department as is now the case.

Fowler, M'Carey Injured in Crash

HOLLYWOOD, Nov. 28.—Gene Fowler, famous author and screen writer, and Leo McCarey, one of Hollywood's leading directors, were injured today in an auto accident near Azusa, about 20 miles from here.

McCarey sustained a broken shoulder bone and serious lacerations. He was reported resting comfortably at the Azusa hospital. Fowler, less seriously hurt, was brought to the Good Samaritan hospital in Los Angeles.

The accident occurred at an intersection. The driver of the other automobile escaped with slight injuries.

Hope to Settle Date Of N.Y. Trust Trial At Friday's Parley

Fixing of a definite date for the trial of the Government's anti-trust suit against the eight majors will be the primary object of a hearing Friday before Federal Judge John C. Knox, Special Assistant Attorney General William Farnsworth revealed yesterday.

Judge Knox also will be asked by the Government to set a date for the filing of answers, both by the Government and by the majors, to interrogatories previously filed, Farnsworth added.

The Government will apply for the start of trial before the Summer recess of the court, he declared. No serious contest on the part of the defendants is expected Friday, he stated, but an effort will be made "to straighten out the entire matter."

Special Assistant Attorney General Paul Williams is expected to arrive here today, according to Farnsworth, and will represent the Government at the hearing.

Williams, it is understood, will confer with attorneys for United Artists tomorrow in an effort to agree upon a date for answering Government interrogatories and cross-interrogatories filed by U. A.

Attorneys for majors, when asked yesterday about the hearing, stated that they doubted whether preparations for the trial of the suit could be completed before next Summer.

Film Grosses Suffering 30% Slump Abroad

Trade Is Slow in Neutral Nations—Friedman

The average decrease in European business since the outbreak of the war was estimated at 30 per cent yesterday by Joseph Friedman, managing director for Columbia in London.

Friedman, who is scheduled to leave for Lisbon by *Atlantic Clipper* tomorrow, en route back to London after a visit here, placed the average decrease in business in the large cities at 40 per cent, due to blackouts and stringent regulation, and in the provinces at 20 per cent. He said that his general average of a 30 per cent loss had been substantiated recently by a statistical survey of the European market made by a major company, which he did not name.

Friedman said that the recent crises in the North Sea and Baltic neutral nations had depressed business there to a level comparable with that being done in the belligerent nations. He referred specifically to Belgium, Hol-

(*Continued on page 2*)

'Wind' Faces Price Test in Key Cities

"Gone With the Wind" may never be played at regular admission prices —"not for a long time anyway," according to M-G-M executives.

At least, M-G-M will explore the full possibilities of exclusively high admission price engagements before the picture goes into theatres at lower prices, "if ever."

Two distinct tests will be made, the first between Dec. 15 and Jan. 1 in even cities and the second between Jan. 1 and Jan. 15 in 25 cities. These comprise the 32 exchange centers.

Al Lichtman, here from the studio, expects "Gone With the Wind" to gross $13,000,000 in the United

(*Continued on page 4*)

Amusement Section's Work In Federation Drive Hailed

The progress thus far in the 1939 campaign of the New York and Brooklyn Federation of Jewish Charities was reported to the committee members of the amusement division of the drive at a luncheon meeting yesterday at the Hotel Astor.

David Bernstein, co-chairman of the division with Major Albert Warner, presided.

Among the reports read were those of Harry Buxbaum, chairman of the exchanges committee; Bertram Lebhar of the broadcasting committee; Benjamin S. Moss of the accessories committee, and Joseph H. Seidelman of the Universal Pictures committee. Bernstein expressed the belief that the division would raise more money this year than ever before.

The independent theatres committee will be headed by Sam Rinzler in view of the absence from the city of Harry Brandt.

Barney Balaban, Nate J. Blumberg, Jack Cohn, George J. Schaefer and Murray Silverstone are vice-chairmen.

Committees are as follows:

Columbia—Abe Schneider, chairman; Max Seligman, Nathan D. Spingold; Loew's, M-G-M—Leopold Friedman, chairman; Oscar Doob, Arthur M. Loew, Charles Moskowitz, Morton Spring, Joseph R. Vogel; Paramount—Arthur H. Isreal, chairman; Joseph H. Cooper, co-chairman; Leon D. Netter, Joseph Unger; RKO—Malcolm Kingsberg, chairman; Phil Reisman, Leon Goldberg, co-chairmen; Republic—Herman Gluckman and Milton Green; Warners—Joseph H. Hazen, chairman; Max Blackman, Jules Levy, Herman R. Maier, Harold Rodner.

20th Century-Fox—Joseph M. Moskowitz, chairman; Jack Blum, Aubrey Schenck, William Sussman; Pathe—Fred Ullman; United Artists—Paul N. Lazarus, chairman; Harry Gold, Monroe Greenthal; Independent Producers—Budd Rogers, chairman; Edward A. Golden, Jack Skirball; Universal—Joseph H. Seidelman; National Screen Service—Herman Robbins; Motion Picture Operators

(*Continued on page 5*)

Coast Grand Jury Reopens Inquiry

HOLLYWOOD, Nov. 28.—The Federal Grand Jury tomorrow resumes its investigation of income tax evasion and labor racketeering allegations. Minor witnesses will be heard.

At the Thursday session, Charles Carr, assistant U. S. attorney general in charge of the inquiry, intends to present "one of the most important witnesses thus far heard in the probe."

Mayor Vetoes Bill on Tickets; Code Renewed

(*Continued from page* 1)

in the code for this season were not made public.

Mayor LaGuardia, in vetoing the Spellman bill, declared that he did not believe "that the bill as drawn will correct the existing vicious practices."

The Mayor also pointed out that the theatre owners could eliminate many of the evils. He held that the bill was ambiguous and that the courts would invalidate it on the grounds of unconstitutionality, as was done with a similar State law in 1933.

The bill will remain on the City Council calendar for 30 days and unless brought up within that time, the bill will die.

Mrs. Hatton Rites Today

Funeral services will be held here today for Mrs. Fanny Locke Hatton, 69, partner with her husband, Frederic, in a playwrighting team, who died here on Monday. The two wrote for the screen, specializing in the adaptation of foreign works and subtitle writing.

Mrs. Ella Adams Dies

HOLLYWOOD, Nov. 28.—Mrs. Ella King Adams, 61, head of Cecil B. De Mille's research department, died here after an illness of six months.

Union Deal Protects Job in Event of War

Providence, Nov. 28. — A clause believed without precedent is included in the new contracts being arranged between Loew's State, RKO Albee and Strand here and Local No. 100 of the International Union of Operating Engineers.

The clause provides that if any member of the union is called for service with the armed forces of the United States, he shall return to his former position upon discharge. The clause also provides that the union shall provide "competent help of the kind required" to take the place of any union members drafted.

$11,000 for Musicians

An estimated $11,000 was grossed by the concert of the Medical Fund of the Musicians Union, Local 802, at Madison Square Garden Monday night. Approximately 10,000 attended the concert, at which the NBC Symphony Orchestra and 25 name bands contributed their services.

Get New Club Quarters

INDIANAPOLIS, Nov. 28.—The local Variety Club is redecorating and outfitting rooms on the second floor of the Lyric Theatre Building after being homeless for several months. The new quarters are expected to be ready by mid-December.



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10:35 p.m.....	3:05 p.m. Skysleeper

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WILLIAM A. SCULLY, LEONARD GOLDENSON, DAVID A. LEVY, BROCK PEMBERTON, PHIL BAKER, SIDNEY KINGSLEY, CHARLES CASANAVE, GEORGE DEMBOW and STERLING HOLLOWAY at Sardi's for lunch yesterday.

•

EARL WRIGHT, New Haven salesman for 20th Century-Fox, will address the Foremen's Club at Yale, giving a historical sketch on motion pictures on Dec. 6.

•

HOWARD DIETZ, H. H. MALONEY, TED O'SHEA, MAURICE EVANS, FRED QUIMBY and MILTON BERLE at Nick's Hunting Room in the Astor for lunch yesterday.

•

AL DAVIS, accessories sales manager of the Metro exchange at New Haven, has announced his engagement to HELEN POLLACK of New Haven.

•

MR. and MRS. FRED C. QUIMBY, here from the Coast, are renewing acquaintances after an absence of more than a year.

•

H. M. ADDISON, manager of Loew's New England division, was at the State, Providence, for a couple of days.

•

ROSEMARY LANE flew in from Hollywood yesterday on a combination business and pleasure visit.

•

J. ROY CALAMIA of the Gentilly Theatre, New Orleans, has returned South after visiting here.

•

AL LICHTMAN plans to leave by plane for the studio Friday.

•

BEN GRAUER, NBC announcer, is in St. Louis.

•

ARTHUR FREED, M-G-M producer, is due here today from the Coast.

George Brown Quits Publicity Post at Col.

HOLLYWOOD, Nov. 28. — George Brown, who has been associated with Columbia for the past seven years in the advertising and publicity departments in New York and Hollywood, resigned last night as the studio director of advertising and publicity. He had this post for the past two years. He will leave the lot in two weeks.

Already installed as his successor is Lou Smith, engaged for the post in New York, where he had been employed by the Paramount publicity department. Smith's previous Hollywood work has been as production assistant to Frank Lloyd and Edward Small.

Closed Ampa Meeting

Ampa will hold its first "members only" meeting of the year at 12:45 P. M. tomorrow at Stouffer's Restaurant.

Film Alliance Sets Title

Film Alliance of the U. S. has selected "The Face Behind the Scar" as the title in this country of "The Return of the Stranger," English film.

Film Grosses Suffering 30% Slump Abroad

(*Continued from page* 1)

land and Denmark and pointed out that business in the Baltic neutral countries must be experiencing the same trend.

Friedman plans to make a preliminary study of British production facilities on his return to London to determine whether or not a resumption of production there is practicable. The company's future British production plans will be determined by his findings. He said that the availability of talent and technicians constituted the major production problem, but predicted that the British government would cooperate in the event the problem proved too much for producers.

"If the government doesn't cooperate in this respect," Friedman said, "I don't see how we can produce."

He said that Columbia needed two more pictures between now and March to fulfill its quota requirements for the current quota year.

Friedman reported that film shipments to Europe were not a problem now and that the only handicap encountered to date had been delays of film in transit. This, however, has not been serious, he said, since most major companies still are making their prints abroad and have a six months' supply of releases on hand.

Jack Segal, assistant to Joseph A. McConville, Columbia foreign manager, will accompany Friedman to Europe on the *Clipper*. Segal will check up on the Spanish and Italian market possibilities for Columbia and will spend some time in Paris studying Continental distribution problems.

Budgets Stay Despite Pay Boosts—Balaban

HOLLYWOOD, Nov. 28.—Barney Balaban, president of Paramount, said today that the company will not cut its budget nor cheapen any of its product to compensate for the increase of losses due to the 10 per cent wage increase won by the unions, and also because of European gross losses. He declared the studio will endeavor to make better product in order to effect longer runs and thus larger domestic grosses.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Her new screen personality is a nation-wide success!



GRETA GARBO in "NINOTCHKA"
(See Previous Ad—SEE IT!)
with Melvyn Douglas • Ina Claire • An Ernst Lubitsch Production • Screen Play by Charles Brackett, Billy Wilder and Walter Reisch Based on the Original Story by Melchior Lengyel Directed by Ernst Lubitsch.

THE BOX-OFFICE LAUGHS TOO!

Every opening engagement sensational! They're selling "NINOTCHKA" as the gayest comedy of the year. They're selling a NEW GARBO, vivacious, racy, flirtatious, uproarious. They're using M-G-M's informal, kidding campaign. They're holding over this gala audience hit! *(An M-G-M custom!)*

'Wind' Will Get Top Price Test In Key Centers

(*Continued from page* 1)

States and Canada. This is more than twice the cost, including negative, prints and advertising.

Lichtman says that "Gone With the Wind" at an average admission price of 82 cents and a rental of 70 per cent of the gross will net more to the theatre than a good picture on the regular program at an average 30-cent admission and 40 per cent rental.

Lichtman expects the negative cost to be recouped in four months, provided the picture meets expectations. The cost was shared equally by M-G-M and Selznick International, the producer. The distribution percentage to M-G-M will be on the basis of extent of gross.

The three hours and 40 minutes running time of "Gone With the Wind" is no obstacle to turnover, Lichtman believes. He points out that three theatre capacities a day is considered the maximum, that the length of the performance will be no greater than some double bill programs.

Rodgers Prepares Sales Campaign

William F. Rodgers, general sales manager, says that the selling of 1939-'40 program is now about 90 per cent completed and will be wound up by the end of December. In the subsequent four months or so, before 1940-'41 selling gets under way, salesmen will concentrate largely on contracts for "Gone With the Wind."

By February it is expected the engagements on the picture will be under way at several hundred and probably 1,000 theatres.

M-G-M plans to start as many runs as possible in the shortest possible time. "Gone With the Wind" will go into as many theatres in a city as will be needed to meet the demand.

Rodgers contemplates a third theatre for the Broadway run if it is found that three-a-day showing at the Capitol and the two-a-day run at the Astor are inadequate.

Selznick Gives Up Pathe Lot Lease

HOLLYWOOD, Nov. 28.—Selznick International Pictures, Inc., has given up its lease on the old Pathe lot which it renamed Selznick International Studios. It now assumes the role of a renter from RKO Pathe on a week-to-week basis, the Selznick company going into hibernation in about two weeks. The publicity department will move into Russell Birdwell's private publicity firm.

Film Editors to Ask For Salary Boosts

HOLLYWOOD, Nov. 28.—The Society of Motion Picture Film Editors tomorrow will seek to reopen negotiations for an upward revision of salaries under its bargaining agreement with producers. The meeting is scheduled between Pat Casey, producers' labor contact man, and James Hannan, president, and Walter Sharp, business agent, of the Society.

Pick Three to Study Clearance Code for Exhibitors in Canada

Toronto, Nov. 28.—Three officials here have been designated to study proposals for a provisional clearance code for the Dominion, for the consideration of circuits and organized independent exhibitors.

The committee comprises M. A. Milligan, general manager of Paramount Film Service, Ltd.; N. A. Taylor, vice-president of the Independent Theatres Association and general manager of the Exhibitors Booking Association, and Col. J. A. Cooper, president of the Motion Picture Distributors of Canada.

The independents have been pressing for a national clearance board with a neutral chairman as a final court of appeal to hear grievances and individual disputes which cannot be settled by a regional conciliation board. Famous Players Canadian Corp. has shown preference for localized boards without the national organization and this point appears to be one of the stumbling blocks in the negotiations. The independents are making still another effort to organize various provincial exhibitor bodies into a Dominion-wide association.

Kyser Film Opening At Criterion Tonight

Film, stage and radio personalities are expected to attend the opening tonight at the Criterion of the Kay Kyser RKO film, "That's Right, You're Wrong."

May Robson, who appears in the film, is here from the Coast and will attend. Others include Frank Buck, Charles Laughton, Elsa Lanchester, William Conselman, Jr., Phyllis Fraser, Paula Stone, Leon Janney, Edmond O'Brien, Mr. and Mrs. Walter Connolly, Frances Robinson-Duff, Mary Martin, Franchot Tone, Erin O'Brien-Moore, Sam Jaffe, Linda Watkins, Milton Berle, Terry Hart, Melvyn Douglas, James Barton, Ann Miller, Jane Bryan, Rosemary Lane, Marguerite Clark and Wallace Ford.

RKO will be represented by Richard Patterson, chairman of the board; George J. Schaefer, president; Ned E. Depinet, vice-president; S. Barret McCormick, director of advertising and publicity; Cresson E. Smith, western and southern sales manager; A. W. Smith, Jr., eastern and Canadian sales manager; Harry J. Michalson, short subject sales manager; A. A. Schubart, manager of exchange operations, and Rutgers Neilson, publicity manager.

Kyser and his troupe were tendered a reception yesterday afternoon at the Starlight Roof of the Waldorf-Astoria attended by about 200 persons.

Lone Ranger Suit Accuses Republic

Action alleging breach of contract on the part of Republic Productions was filed by Lone Ranger, Inc., in U. S. District Court here yesterday, in which an injunction was asked to restrain Republic from interfering with negotiations for production and distribution of Lone Ranger pictures with other companies.

The action, filed by O'Brien, Driscoll & Raftery, attorneys for Lone Ranger, claims that the latter's contract with Republic is non-exclusive and that it has the right to negotiate with others.

The complaint also asks for an injunction restraining the release of a Lone Ranger feature already produced by the defendant under the contract. Injunction against exhibition of "The Lone Texas Ranger," a Republic film, on the ground that it infringes upon the plaintiff's rights, is also sought.

Newsreel Parade

Pictures of the beer cellar from which Hitler escaped assassination, British convoy in the North Sea and Churchill denouncing Hitlerism are the chief events in the new issues. The reels and their contents follow:

MOVIETONE NEWS, No. 23 — Hitler escapes assassination in Munich beer cellar. Churchill gives war views. British ships in North Sea. Roosevelt at dinner for Georgia Foundation. Ship sails for South Pole. Lew Lehr. Football: Southern California vs. Notre Dame, Ohio State vs. Michigan.

NEWS OF THE DAY, No. 221—Bomb cellar in Germany. Churchill denounces enemy leadership. British ships under protection. France: aviators fly U. S. planes, Windsor inspects artillery, Gamelin at front, heroes honored. Roosevelt in Georgia. Christmas parades in New York and Hollywood. U. S. C. vs. Notre Dame football.

PARAMOUNT NEWS, No. 26—Parades in New York and Hollywood. U. S. takes lead in airplane production. Finnish delegates return from Russia, Finns under arms. British convoy on North Sea. Churchill discusses war. Football: Cornell vs. Pennsylvania, Southern California vs. Notre Dame.

RKO PATHE NEWS, No. 38 — Hitler escapes Munich blast. President carves turkey in Georgia. Elizabeth visits children in England. Aviation industry booms here. British convoy in North Sea. Football: Southern California vs. Notre Dame, Yale vs. Harvard, Pennsylvania vs. Cornell.

UNIVERSAL NEWSREEL, No. 827—French aviators fly U. S. Planes. Churchill predicts British victory. Roosevelt host at Thanksgiving dinner. Byrd ship sails for South Pole. Charles Boyer arrives from France. Christmas parade on Broadway. Walking derby in Coney Island. Football: Notre Dame vs. Southern California, Pennsylvania vs. Cornell.

Norton Production Plan Backed by CEA

LONDON, Nov. 28.—The Cinematograph Exhibitors Association today discussed at length with Capt. Richard Norton, Michael Balcon and George Smith the practicability of Norton's proposed guaranteed release plan of production.

The three producers claimed that finances will be forthcoming immediately on the guarantee of releases. The exhibitors agreed in principle to the plan, and the producers will meet again later this week to put the proposals in final form. The producers claim they can deliver a minimum of 12 features in the current quota period.

It is considered that Gaumont British and Associated British Pictures Corp. did not oppose the plan. They are the two largest circuits in the C.E.A.

Film Print Cost Grant Is Basis Of Jap Protest

Protests of American film representatives to the American Embassy at Tokyo pertaining to Japanese departures from the 1937 agreement governing film imports into that country have been registered several times during the past few months, home office foreign departments revealed yesterday in commenting upon news dispatches concerning protests made this week.

The principal complaint of American company representatives, it was said, is concerned with the failure of Japanese authorities to grant the $30,000 print cost allowance agreed upon last year.

The unjustified withholding of permits for the withdrawal of American films from the Japanese customs also has been protested.

The agreement provides for a three-year sequestration of film money withdrawn from Japan by American distributors, and as that period does not expire for another two years, the withdrawal of currency from the San Francisco branch of the Yokohama Specie Bank is not involved in the protests which have been made to Japanese officials and Ambassador Joseph C. Grew, it was said.

Metro Puts Bigger Stress Upon Shorts

Decision to maintain Metro's shorts program with no curtailment of budgets and no reduction in product this year or next is announced by Fred C. Quimby, general short subjects head, in from the studio for home office conferences.

Quimby regards the anticipated decline of foreign revenues as a challenge to the shorts makers which calls for long needed expansion in the domestic market. To accomplish this, Quimby foresees a general improvement in shorts product, with producers endeavoring to supply stronger support for dual bills lacking in name values or box-office appeal.

Catholic Alumnae's Film Work Lauded

The International Federation of Catholic Alumnae, which has reviewed 4,600 films for the National Legion of Decency in the five years of the Legion's existence, was commended for its work at a dinner at the Waldorf-Astoria celebrating the 25th anniversary of the organization.

The Rev. Francis X. Talbot, S.J., editor of *America,* declared the federation had been commended by the American Catholic bishops for the "soundness of the judgment" it has expressed on films.

Acts on Chance Games

Lee Newbury, president of Allied Theatre Owners of New Jersey, will appoint a committee to confer with the prosecutor of Essex county in regard to a ruling forbidding the operation of all chance games. N. J. Allied held a meeting yesterday at the Astor.

Federation's Leaders Hail Drive Gains

(*Continued from page* 1)

—Joseph D. Basson; Film Importers—Max A. Schlesinger; Motion Picture Exchanges —Harry Buxbaum, chairman; Nat Cohn, Morris Epstein, Joseph Felder, Harold Goldgraben, Dave Levy, Mayron Sattler, Ed Schnitzer, Charles Stern, Bob Wolff; M.P.P.D.A.—Isroy M. Norr.

Artists—Phil Baker, Ben Bernie, Eddie Duchin, Benny Goodman, Marvin Schenck, co-chairmen; Jesse Block, Eddie Cantor, Lou Holtz, George Jessel, Abe Lyman, Dave Rubinoff, Ed Wynn.

Artists' Representatives—William Morris, Jr., chairman; Herbert Rosenthal, co-chairmen; Harry Engel, Mike Hammer, Carleton M. Hub, Jesse Kaye, Mark Leddy, Samuel T. Lyons, Harry Mayer, Sidney H. Piermont.

Attorneys—William Klein, Louis Nizer, chairmen; Julian T. Abeles, co-chairman; Louis D. Frohlich, Mitchell Klupt, Louis Phillips, Charles Schwartz, Milton C. Weisman, William Weisman.

Broadcasting—Donald Flamm, chairman; Bertram Lebhar, co-chairman.

Independent Theatres — Sam Rinzler, chairman; William Brandt, Max A. Cohen, Leo Brecher, Simon H. Fabian, Louis Frisch, Sam Goodman, Joe Katsh, Arthur L. Mayer, Charles Moses, Walter Reade, Sr., Sam Rosen, Max Rudnick, Edward N. Rugoff, Fred J. Schwartz, Jr., Edward Seider, Spyros Skouras, Joe Springer, Samuel Strassberg.

Laboratories—Alan E. Freedman, chairman; Ralph Poucher, co-chairman; Jules Brulatour, Jack Goetz, Herbert J. Yates, Jr.

Dancing Schools—Arthur Murray.

Orchestras—William Alexander, chairman; William Goodheart, Harry Kalcheim.

Motion Picture Accessories—Benjamin S. Moss, chairman; Lawrence Bolognino, Bernard Brandt, Walter Barber, Jules Catsiff, Max A. Cohen, M. J. Fessler, George Feinberg, Emil Friedlander, William Freedman, Emanuel Frisch, Miss I. Garretson, Joe Hornstein, Joe Katsh, A. L. Kirwin, Stanley Kolbert, Ben Knobel, Fred Lakeman, Bud Lytton, Jerome M. Loeb, Milton Maier, Harry Mandel, Frank Meyer, Harry A. Nadel, Eugene Picker, Arthur M. Rapf, Walter Reade, Jr., Sam Rosen, Fred Schwartz, Jr., Edward Seider, Max Seligman, Charles Sonin, Monroe E. Stein, James E. Stroock, Al Suchman.

Federation Representatives — Maurice Firth, Herman Sanders.

Legitimate Theatres — Marcus Heiman, chairman; Ben A. Boyar, Howard Dietz, Sam Forrest, Harry M. Goetz, John Golden, Max Gordon, Harry Kaufman, William Klein, John Shubert, Lee Shubert.

Music Publishers & Composers—Louis Bernstein, chairman; Jack Robbins, co-chairman; Irving Berlin, Jack J. Bregman, Irving Caesar, Lou Diamond, Max Dreyfus, Saul Immerman, Jack Mills, Edwin H. Morris.

Publications — Jack Alicoate, chairman; Maurice D. Kann, Martin Quigley, Sid Silverman, Sam Shain, Louis Sobol.

Night Clubs—Ted Friend, Lou Brecher, Billy Rose, Hy Gardner.

Carolina Owners To Meet on Dec. 3

CHARLOTTE, Nov. 28.—Theatre Owners of North and South Carolina, an M.P.T.O.A. affiliate, will hold its annual convention at the Charlotte Hotel here, Dec. 3 and 4.

Lyle M. Wilson of Roanoke Rapids, N. C., president of the organization, will preside. Ed Kuykendall, M.P.T.O.A. president, and William F. Rodgers, general sales manager of M-G-M, are expected to speak at the Dec. 4 session. Ann Rutherford will be at the convention, which will conclude with a banquet the final evening.

New French Film Here

"Last Desire" has been retained as the English title of the French film, "Derniere Jeunesse," based on the novel by Lian O'Flaherty. Transatlantic Films is distributing the film in this country.

Hollywood Review

"The Cisco Kid and the Lady"

(20th Century-Fox)

HOLLYWOOD, Nov. 28.—If the happy reaction of a Hollywood preview audience to his first appearance as the Cisco Kid may be taken at face value, or even if discounted as much as half, there is no perceptible reason why Cesar Romero should not stride the screen for years in continued dramatizations of the O. Henry character formerly portrayed by Warner Baxter. The film is bright and light and fast and funny, melodramatic enough for the gunfight fans and yet essentially merry. It's a ripe, rounded production, expert in every department.

Romero's performance naturally dominates the picture, but he is given a run for top honors by Gloria Ann White, aged one year, whose personality sparkles like a diamond on a dark night and whose infantile adventures keeps a murmur of warm approval stirring the audience throughout most of the production. Chris-Pin Martin is splendid as the hero's constant companion and Robert Barratt supplies his usual satisfactory heavy. Virginia Field and Marjorie Weaver take excellent care of the feminine assignments.

Francis Hyland's screenplay, from Stanley Bauh's story, is a novel and smoothly wrought narrative, strong in plausible surprise twists. Production by John Stone and direction by Herbert I. Leeds are top-notch. The film is eminently suitable entertainment for all audiences of all ages.

Running time, 74 minutes. "G."* ROSCOE WILLIAMS

**"G" denotes general classification.*

Snag Strikes Talks On Telecast Wages

Apparently having struck a serious snag in its negotiations to set wage standards for television performers, the committee set up by Actors Equity, American Federation of Radio Artists and Screen Actors Guild is not expected to present the final report for a number of weeks.

Indications are that the unions were unable to agree upon a wage scale and on the method of negotiating with NBC. Equity agreed to waive the question of jurisdiction temporarily pending efforts to establish "one big union," but a reorganization appears so far off at present that Equity is understood to be insisting on some immediate decision on jurisdiction.

The Equity council heard a tentative report of the committee yesterday, but its action was not made public. A.F.R.A. and S.A.G. are also due to hear reports this week.

Buffalo Police Begin Drive Against Bingo

BUFFALO, Nov. 28.—With police and the district attorney's office bent on obtaining a speedy court ruling on Bingo, patrons have been frightened away from the games here. Prize winners lately have been served with subpoenas for grand jury appearance.

This action came after police decided that prize winners best could tell the grand jury whether they went to the games in the hope of winning a cash prize, or for the purpose of seeing old motion pictures shown in conjunction with the game at many halls.

Plan Buffalo Benefit

BUFFALO, Nov. 28.—Shea's Great Lakes here will be turned over to the *Courier-Express* at midnight, Dec. 16, for a three-hour benefit show in behalf of the newspaper's Christmas toy fund for underprivileged children. All the theatre's 3,000 seats will be reserved.

Exclusive Contract

Toronto, Nov. 28.—Although the Dionne Quintuplets made a special trip to Toronto from their home at Callendar, Ont., to meet the King and Queen at a reception in the Parliament Buildings, this incident of the royal visit is omitted from the Canadian Government feature, "The Royal Visit," currently released. This omission is due to the fact that 20th Century-Fox has an exclusive contract with the official guardians of the babies for the appearance of the quints in feature pictures, with one more production to be made, it is understood.

'Arizona' Premiere In Phoenix Dec. 7

Monogram will hold the world premiere of "Gentleman from Arizona," color picture, on Dec. 7, at Phoenix, Ariz. The film was produced entirely in that state.

The local Chamber of Commerce will sponsor the event, with the governor of Arizona and other officials expected to participate. Members of the cast and W. Ray Johnston, president of Monogram, will attend.

N. H. Union Party Set

NEW HAVEN, Nov. 28.—Local B-41 of the exchange employes are booking special vaudeville acts for the Movie Ball at Baybrook Inn next Tuesday. Jack Mullen, president; Jerry Massimino, and Kathryn Fitzgerald are in charge.

De Mille Sets New Film

HOLLYWOOD, Nov. 28.—Cecil B. De Mille's next picture, following "Northwest Mounted Police," will be "Queen of Queens," a story based on the life of the Virgin Mary.

N. Y. Censor Rejected 24 Films in Year

(*Continued from page* 1)

were reviewed by the division.

Six of the 24 pictures totally rejected were subsequently resubmitted and licensed after revisions had removed objections.

Regarding the influence of the Motion Picture Division, Esmond states:

"There is no other official body in this state that has charge of the review and licensing of films for purposes of exhibition. It has been judicially determined that our jurisdiction extends to films which are imported from foreign countries, as well as to those which are manufactured in this country; it covers the products of the independent producers, as well as the products of the major companies; and the same kind and degree of careful review is exercised with reference to all pictures, whether foreign or domestic, independent, or made by the major producing companies. Because of this, both importers and producers who might otherwise be inclined to cater to morbid tastes are much less likely to spend their money on pictures which they realize in advance can not be shown in the State of New York. Therefore, our work of review properly exercises an important and wholesome influence over the production and exhibition of pictures. Thus theatre owners and operators who strive to furnish clean entertainment for their patrons are spared a type of competition which neither they nor the public generally approve."

During the year five appeals were taken to the Board of Regents from decisions of the director. In four of these appeals the action of the Motion Picture Division was sustained. In connection with the fifth appeal substantial revisions were made before the picture was shown to the Regents and it was then passed as revised.

Middleburg Votes For Sunday Films

MIDDLEBURG, N. Y., Nov. 28.—This village yesterday voted in favor of Sunday films by a 32 majority. Middleburg thus became the second village in Schoharie County to approve Sunday pictures, Cobbleskill having previously approved the measure after two petitions had been voted down.

The only theatre in Middleburg is the Valley, operated by the Mitchell Conery Circuit. Conery is regional vice-president of Allied Theatres of New York.

Columbus Duals Gain

COLUMBUS, O., Nov. 28.—In addition to the four first runs which are showing double features here, a survey reveals that 40 out of 46 subsequent run houses played duals over the weekend. This includes downtown, neighborhood and suburban spots.

Lesser Moving Plant

HOLLYWOOD, Nov. 28.—Sol Lesser, United Artists producer, who has been operating at the General Studios, will move his headquarters to the Samuel Goldwyn studio within a few days.

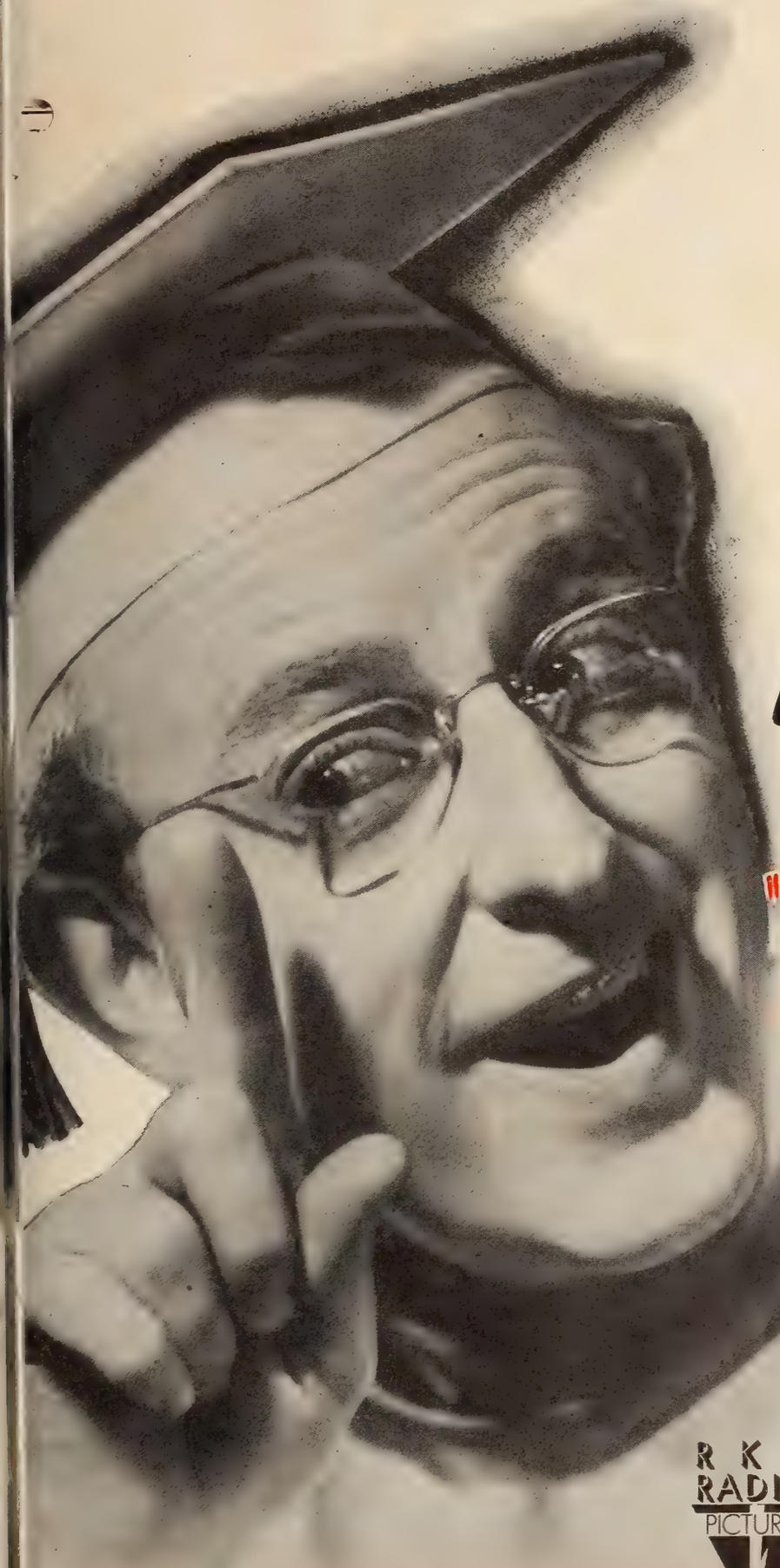
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PRODUCED AND DIRECTED BY DAVID BUTLER

Screen Play by William Conselman and James V. Kern

RKO RADIO PICTURES

ore opening this week!

'Smith' Draws Seattle Lead With $7,000

SEATTLE, Nov. 28. — "Mr. Smith Goes to Washington" in its third week at the Liberty, grossed $7,000, while "The Cat and the Canary" and "Fast and Furious" took $6,600 at the Orpheum.

Estimated takings for the week ending Nov. 24:

"Sweethearts" (M-G-M)
"Test Pilot" (M-G-M)
BLUE MOUSE—(950) (25c) (Special price). Gross: $2,900. (Average, $4,000)
"Drums Along the Mohawk" (20th-Fox)
FIFTH AVENUE—(2,500) (25c-40c-55c) 7 days. Gross: $7,100. Average, $7,000)
"Mr. Smith Goes to Washington" (Col.)
LIBERTY—(1,800) (25c-40c-55c) 7 days, 3rd week. Gross: $7,000. (Average, $5,000)
"The Housekeeper's Daughter" (U. A.)
MUSIC BOX—(950) (25c-40c-55c) 7 days, 2nd week. Gross: $3,100. (Average, $4,000)
"The Cat and the Canary" (Para.)
"Fast and Furious" (M-G-M)
ORPHEUM—(2,450) (25c-40c) 7 days. Gross: $6,600. (Average, $6,000)
"Chicken Wagon Family" (20th-Fox)
PALOMAR—(1,500) (15c-25c-40c) 7 days. Stage show featuring Blackstone, magician. Gross: $5,400. (Average, $5,000)
"First Love" (Univ.)
"Little Accident" (W. B.)
PARAMOUNT—(3,050) (25c-40c) 7 days, 2nd week. Gross: $5,500. (Average, $6,000)

'Ninotchka' Draws $9,700 in Montreal

MONTREAL, Nov. 28.—"Ninotchka" brought the Palace to the top with $9,700.

Estimated takings for the week ending Nov. 24:

"U-Boat 29" (Col.)
"Five Little Peppers" (Col.)
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days. Gross: $6,700. (Average, $8,000)
"Mr. Smith Goes to Washington" (Col.)
LOEW'S—(2,800) (30c-40c-60c), 7 days, 2nd week. Gross: $6,500. (Average, $8,000)
"Intermezzo" (U. A.)
"Charlie Chan at Treasure Island" (20th-Fox)
ORPHEUM—(919) (25c-35c-50c) 7 days. Gross: $3,400. (Average, $5,000)
"Ninotchka" (M-G-M)
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $9,700. (Average, $10,000)
"The Cat and the Canary" (Para.)
"$1,000 a Touchdown" (Para.)
PRINCESS—(2,272) (25c-35c-50c-65c) 7 days. Gross: $3,900. (Average, $6,000)

Hollywood Review

"Two Thoroughbreds"

(RKO)

HOLLYWOOD, Nov. 28.—A boy and a foal, both orphans, both needing a friend, find one in each other in this tale by Joseph Fields, and end with a home where boys and horses are understood. The boy, played by 16-year-old Jimmy Lydon, who appeared on the New York stage in "Back Door To Heaven," has a girl as well; 14 years old this time. It is she who's really responsible for ironing things out successfully for all concerned, and her screen portrayal as the daughter of a wealthy horseman holds great promise for her film future. Her name is Joan Brodel, and the simplicity and evident sincerity of her acting constitute a high spot of the picture.

The screenplay by Fields and Jerry Cady, as directed by Jack Hively, moves quickly and with understanding of the appeal to audience sentiment inherent in the story. The boy's misanthropic uncle and aunt, incapable of seeing that the foal is a thoroughbred, or of understanding for their young nephew, forced on them by his mother's death, are capably portrayed by Arthur Hohl and Marjorie Main.

Cliff Reid produced with Lee Marcus as production executive.

Running time, 60 minutes. "G."* WALTER SELDEN

**"G" denotes general classification.*

'Day-Time Wife' Hits $14,000 in St. Louis

ST. LOUIS, Nov. 28.—The Fox, with "Day-Time Wife" and a revue on the stage, led with $14,000.

Estimated grosses for week ending Nov. 24:

"First Love" (Univ.)
AMBASSADOR—(3,018) (25c-40c-55c) 7 days. Gross: $11,800. (Average, $11,500)
"Day-Time Wife" (20th-Fox)
FOX—(5,038) (25c-40c-55c) 7 days. Stage: Vaudeville. Gross: $14,000. (Average, $11,-000)
"Eternally Yours" (U. A.)
LOEW'S—(3,162) (25c-40c-55c) 7 days. Gross: $10,500. (Average, $13,000)
"Drums Along the Mohawk" (20th-Fox)
MISSOURI—(3,514) (25c-40c-55c) 7 days. Gross: $4,000. (Average, $4,000)

Club Installation Dec. 4

CINCINNATI, Nov. 28.—Annual installation dinner for 1940 officers of the local Variety Club will be held Dec. 4. Eddie Cantor, who will be playing the RKO Albee, will be special guest of honor. The annual Christmas party for orphans in local institutions will be given Dec. 23. Arrangements are being made to take care of 1,500.

CBC Builds Transmitter

TORONTO, Nov. 28.—The Canadian Broadcasting Corp. has started construction of its fifth large transmitter in the erection of a 5,000-watt station at Marieville in the Eastern Townships near the St. Lawrence River to replace the present CBM transmitter at Laprairie.

Burns in 'Deacon'

HOLLYWOOD, Nov. 28.—Universal has signed Bob Burns for the title role in "Alias the Deacon."

Parsons Unit Pulls $18,200 Frisco Lead

SAN FRANCISCO, Nov. 28.—Aided by Louella Persons and six starlets on the stage, "Meet Dr. Christian" drew $18,200 at the Golden Gate.

Estimated takings for the week ending Nov. 21-24:

"Meet Doctor Christian" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: Louella Parsons, vaudeville. Gross: $18,200. (Average, $15,000)
"Mr. Smith Goes to Washington" (Col.)
"Five Little Peppers and How They Grew" (Col.)
ORPHEUM — (2,440) (15c-35c-40c-55c) 7 days, 4th week. Gross: $10,500. (Average, $8,000)
"Private Lives of Elizabeth and Essex" (W. B.)
FOX — (5,000) (15c-30c-35c-40) 7 days. Gross: $14,500. (Average, $16,000)
"Drums Along the Mohawk" (20th-Fox)
"Too Busy to Work" (20th-Fox)
PARAMOUNT—(2,740) (15c-30c-35c-40c) 7 days, 2nd week. Gross: $9,000. (Average, $11,500)
"Eternally Yours" (U. A.)
UNITED ARTISTS — (1,200) (15c-35c-40c-55c) 7 days, 2nd week. Gross: $7,500. (Average, $8,000)
"Babes in Arms" (M-G-M)
"Television Spy" (Para.)
ST. FRANCIS—(1,400) (15c-30c-35c-40c) 7 days, 5th week. Gross: $5,000. (Average, $6,000)
"The Cat and the Canary" (Para.)
"What a Life" (Para.)
WARFIELD—(2,680) (15c-30c-35c-40c) 7 days. Gross: $12,000. (Average, $12,000)
"Man Is News" (G.B.)
CLAY—(400) (15c-35c-40c) 7 days. Gross: $750. (Average, $1,000)
"Lucrezia Borgia" (Gallic)
LARKIN—(390) (15c-35c-40c) 7 days, 5th week. Gross: $850. (Average, $1,000)



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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 106 NEW YORK, U. S. A., THURSDAY, NOVEMBER 30, 1939 TEN CENTS

Canada 1938 Film Receipts $33,625,052

Ontario Gross Increases 5.2% for Year

TORONTO, Nov. 29.—The Dominion Government has issued the following condensed summary of theatre business as of Dec. 31, 1938, this being a resume of the recent annual report. The itemized facts are:

Number of theatres, 1,133; total receipts for 1938, $33,625,052; average receipts per theatre, $29,687; total admissions for year, 137,976,052; average number of admissions per theatre, 121,779.

Population of Canada, 11,199,000; per capita expenditure for shows in 1936, $3.02; theatres per 10,000 population, 1.0; total seating capacity of all theatres, 640,366; seats per 1,000 population, 57; total number of theatre employes, 7,248; total salaries and wages for all theatres, $5,666,049; average salary per employed person, $782.

Number of independent theatres, 566; number of two-unit theatre groups, 57; number of three-unit theatre groups, 14; number of circuit theatre groups (4 units and over), 24.

Theatres showing professional vaudeville part-time, 99; theatres showing professional stage shows part-time, 55.

The summary points out that there are 296 villages of less than 1,000 population in which a theatre is situated; 193 towns of from 1,000 to 2,999 population having a theatre; 129 towns from 3,000 to 9,999 population having theatres and 64 places with larger population in which theatres are operated.

Only 658, or 58 per cent, of the theatres in Canada were operated on a full-time basis in 1938. In Ontario 93 per cent operated on a full-time basis; 83 per cent in Quebec and 72 per cent in the Maritime Provinces. British

(*Continued on page 6*)

Bioff Lawyer Starts Fight on Extradition

CHICAGO, Nov. 29.—Efforts to prevent the extradition from California to Chicago of William Bioff, western head of the I.A.T.S.E., were started here today by State Senator Abraham L. Marovitz, Bioff's counsel.

The attorney notified Governor Horner of Illinois that he would oppose the petition of State's Attorney Thomas J. Courtney for extradition, and was advised he would be granted a hearing.

50-Cent Ticket Wins $8,000 for Girl; Skeptic Now, Doubts Even a Reporter

By AL FINESTONE

Rose Kaplan, an assistant booker at the New York 20th Century-Fox exchange, is a slip of a girl who can win $8,000, salt it away and think nothing of it.

Recently Miss Kaplan won that amount in a drawing conducted by the Haverstraw, N. Y., Lodge of Elks. It was the first ticket of the kind she had ever bought. She paid 50 cents for it. The purchase was made from Peter Fishman, booker with whom she works, who won $400 for having sold the winning ticket.

Miss Kaplan's was the first grand award of a total of 395 prizes aggregating $20,000.

Notified of her good fortune, Miss Kaplan screamed. When she regained her composure, she borrowed some money from fellow employes and threw a party at the exchange. Then she borrowed more money and bought a coat—"not a fur one." When she received the check, she had it photostated as a keepsake, paid off her debts and deposited the rest in a bank.

She has been deluged with letters offering all sorts of business schemes. One letter writer wanted to sell her

(*Continued on page 2*)

See Big Price Cut On Television Sets

Prices for television receivers will be generally slashed by at least one-third in the near future and wholesale prices will be cut even further to permit a wider margin of profit for dealers, it was learned from a high NBC executive yesterday. The move follows a successful test in upper New York State where sales increased measurably after the reductions.

Radio officials have been openly disappointed at the failure of the dealers to place the sets on the market. Dealers, on the other hand, took the position that it was considerably easier to market $600 worth of inexpensive radio sets than one television receiver, and that the returns were greater. As a result, only about 1,000 sets have been placed in the metropolitan area

(*Continued on page 2*)

2-Week 'Gulliver' Guarantee Asked

A minimum of two weeks playing time will be a requisite for every pre-release engagement of "Gulliver's Travels," Paramount sales officials disclosed yesterday.

No other special sales policy will be invoked in handling the Max Fleischer feature length color cartoon, it was said, as the picture was pre-sold on Paramount's new season contracts. The guaranties of two weeks playing time for pre-release engagements will entitle exhibitors to an option on hold-overs where these may be desired.

Domestic gross on "Gulliver's Travels" should be approximately $3,000,000, Leon Netter, vice-president of Paramount Theatres Service Corp., estimated yesterday following discussions with a number of Paramount

(*Continued on page 6*)

"Destry Rides Again"

[Universal]

Showmen, here's a picture to shout about. If motion pictures are supposed to have motion, if basic principles of screen entertainment dictate that film patrons fundamentally like action, speed and pace, regardless of age or station—and that has been proved a fact—then "Destry Rides Again" is a showman's picture for the nation's film fans.

Basically, the film is a Western, as the original Max Brand novel from which it was adapted was a Western story, but it is a Western film done on the grand scale, with a series of sparkling performances which in themselves serve to lift the film by the hero's bootstraps out of the category of the ordinary Western product.

Its production, under the talented guiding hand of Joe Pasternack and the pace-setting direction of George Marshall, is big time, all the way down the line. Felix Jenkins, Henry Meyers and Gertrude Purcell have provided a smart, smooth-flowing screenplay.

For the showman to put in big lights on his marquee are a pair of

(*Continued on page 4*)

Newark Wage Battle Looms; Seek 10% Rise

Re-Entry of I.A. in Basic Agreement Hinted

HOLLYWOOD, Nov. 29.—Demands for establishment of seniority rule and 10 per cent wage increases for three of four international labor unions and possibly re-entry of I.A.T.S.E. into the basic studio agreement will feature the meeting of heads of International unions and film company executives Tuesday at Newark.

Seniority rule—that which protects veterans in their jobs and which will eliminate wholesale discharges upon changes in department heads—will be one of the cardinal points in the conference which has been postponed several times this year.

Teamsters, carpenters and electrical workers are asking for 10 per cent wage increases for their 4,357 members in Hollywood studios.

A large portion of the Newark meeting will be devoted to a discussion of the unions' demands for improved working conditions under which more employment will be created.

At Hollywood I.A.T.S.E. headquarters it was not known today whether the Alliance would re-enter the agreement from which it withdrew early in the year after autonomy was restored to Hollywood locals.

Long-distance telephone conversations between George E. Browne, International president, in the East, and Hollywood representatives were reported.

Pat Casey and Victor H. Clarke, producers' labor contact officers, leave tomorrow for Newark, while Frank Carothers, secretary of the unions' committee on the basic agreement, will leave Friday. Joseph Tuohy, business representative of the Studio Drivers Local 399 of Teamsters; Al Speede,

(*Continued on page 6*)

Schenck to Appear Before Jury Today

HOLLYWOOD, Nov. 29.—Joseph M. Schenck, chairman of the board of Twentieth Century-Fox, will appear voluntarily tomorrow before the Federal grand jury investigating alleged labor racketeering and income tax evasions in the film industry. This announcement was made today by Charles H. Carr, assistant U. S. Attorney General in charge of the local inquiry. William Dover, former executive at Fox and now with a talent agency, spent one hour before the grand jury today.

Girl Wins $8,000; Spoiled? No Sir!

(Continued from page 1)

"a pretty house" for $8,500. Two insurance agents and a salesman for an investment firm have called. They didn't make a sale.

Her father, Joseph Kaplan, who lives in Des Moines, wrote her to "beware of crooks, chiselers and smooth talkers." Miss Kaplan does not need the advice. She is wary of strangers, even if they appear disarming.

When a reporter approached her for details, she had to be convinced that he was really not trying to sell her something. "You must have a sideline," she insisted.

About the only expenditure she has in mind right now is to treat her father to a trip to Los Angeles, where one of her brothers lives.

In considering what she should do with the money, she has placed her trust in executives of the exchange, including Harry H. Buxbaum, manager; Joe J. Lee, sales manager, and Sanders. She thinks they're all swell, especially Buxbaum.

Meantime, she is going to see the N.Y.U.-Fordham football game Saturday at the Yankee Stadium. There was a drawing for two tickets to the game among 20th Century-Fox exchange employes. She drew Ticket No. 1. It won the ducats.

Finish Scott Western

"Ridin' the Trail," first of a new series of six musical westerns starring Fred Scott, has been completed under the direction of Raymond T. Johnson. Spectrum Pictures will release the series.



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Purely Personal

ROBERT GILLHAM, Paramount advertising and publicity director, is due back today from Phoenix and Kansas City.

•

HOWARD DIETZ, FRED QUIMBY, SOL LESSER, SAM SHAIN, JOSEPH MOSKOWITZ, OWEN DAVIS, ARCHIE WELTMAN, LEON NETTER, TOBY GRUEN, L. C. FRIEDMAN, CHARLES SONIN, MAX A. COHEN, DAVID A. LEVY, SIDNEY PHILLIPS, TED O'SHEA, JOSEPH PINCUS and WILLIAM McBRIDE at Nick's Hunting Room in the Astor for lunch yesterday.

•

JULIAN RIFKIN, general manager of Rifkin Theatres, operating in Northampton and Holyoke, Mass., has announced his engagement to LEE ADASKIN of Springfield, Mass.

•

JOSEPH S. HUMMEL, Warners general foreign sales manager, arrives in Buenos Aires Dec. 6 from Rio de Janeiro, after stopovers in Sao Paulo and Montevideo.

•

JAMES ROOSEVELT left for Framingham, Mass., yesterday where he will observe the New England Thanksgiving Day today.

•

EDDIE LEBARON and his band are making a personal appearance this week at the Earle, Washington.

•

JOHN MURPHY of Loew's Theatres lectured on theatre management at Syracuse University yesterday.

•

H. SCOTT ROBERTS, manager of the Comique Theatre, Camden, Maine, is visiting in New York.

•

H. M. RICHEY of RKO has been made an "admiral of the flagship fleet" by American Airlines.

•

SAM WOOD, J. J. MILSTEIN and JACK GOETZ lunching at Lindy's (51st St.) yesterday.

•

WILLIAM R. FERGUSON, M-G-M exploitation manager, is back from Atlanta.

•

JAMES R. GRAINGER, Republic president, has returned from Boston.

•

ARTHUR FREED, M-G-M producer, is in town from the Coast.

•

CHARLES LIGHT goes to Colorado Springs Saturday.

Bloom Will Leave Western Electric

Edgar S. Bloom, who will retire from the presidency of Western Electric late next month under the company's rule compelling retirement at 65, has been appointed as director of purchases of the British Purchasing Commission. Bloom will have completed 43 years in the Bell Telephone System.

Miss MacDonald to Tour

Jeanette MacDonald will begin a concert tour on Feb. 12, continuing until April 30. She will open the tour in the Southwest, and cover leading cities in all parts of the country.

Music Hall Sees Marquee Growing

The Music Hall marquee is growing. Originally built with one setback section to be pushed forward and fitted after the expected removal of the Sixth Ave, "L" the job is expected to be finished this week.

When it is done, there will be additional marquee space for a comma, exclamation point, or even a letter—if it's a narrow one.

Dinner for Brandt, 25 Years in Trade

Harry Brandt, president of the I.T.O.A. of New York City, will be given a testimonial dinner Dec. 31 at the Hotel Astor in observance of his 25th anniversary as an exhibitor.

David Weinstock, chairman of the board of the I.T.O.A., is chairman of the dinner and Milton C. Weisman, counsel to the organization, is treasurer. The program will include dancing and a few speeches.

Brandt's office announced that the following have agreed to serve on the committee:

Howard Dietz, chairman, publicity committee; Barney Balaban, Nate Blumberg, Laurence Bolognino, Harry H. Buxbaum, Max A. Cohen, Nat Cohn, George Dembow, Herman Eisenstadt, Si Fabian, Louis Frisch, W. French Githens, Harry Gold, Edward Golden, James R. Grainger, Hal Horne, W. Ray Johnston, Morris Lane, Abe Montague, C. C. Moskowitz, B. S. Moss, Louis Nizer, Hyman Rachmil, Walter Reade, Samuel Rinzler, Herman Robbins, William F. Rodgers, Rudolph Sanders, George J. Schaefer, Bernard Scholtz, Fred Schwartz, William F. Scully, Joseph Seider, Murray Silverstone, George Skouras, Samuel S. Strausberg, L. E. Thompson, J. J. Unger, W. G. Van Schmus, Nat Wachsberger, Herman Wobber, Jack Alicoate, Terry Ramsaye, John Flinn, Chick Lewis, Don Mersereau, Ben Shlyen.

Warners' Annual Meeting Set Dec. 11

Annual meeting of stockholders of Warner Bros. Pictures, Inc., is slated for Dec. 11 in Wilmington. Six directors whose terms expire this year are scheduled for reelection. They are Joseph Bernhard, Waddill Catchings, Robert W. Perkins, Albert Warner, Harry M. Warner and Jack L. Warner.

The board of directors will meet in New York later to reelect present officers, headed by Harry M. Warner, president.

Ginsberg Goes East For 2-Weeks' Stay

HOLLYWOOD, Nov. 29.—Henry Ginsberg, who will leave the post of vice-president and general manager of Selznick International at the end of the year, has left for New York for a series of meetings with Eastern executives. He will be gone two weeks.

Ernest L. Scanlon, assistant treasurer since the company's formation, today was named studio treasurer and becomes the chief financial executive of the company.

Gets 'U' Advertising Post

HOLLYWOOD, Nov. 29.—Troy Orr has been appointed studio advertising manager of Universal, under John Joseph, replacing J. Albert Hirsch, who resigned to return to New York.

See Big Price Cut On Television Sets

(Continued from page 1)

since April when regular programs were announced.

Mass production will account, in part, for the lowered prices. The first sets were benchmade products, thus accounting for their higher cost. Based on the test observations, R.C.A. will draw up a production schedule which will permit lower prices.

Considerable effort is being made to place the sets in film houses, restaurants and similar public places, so that the public may become acquainted with the general improvement in programs.

Although R.C.A. continues to sell its sets outright, several other companies are seriously considering a plan to lease their sets to key locations with an option to purchase at the end of six months.

Allied of New York Has Election Dec. 13

Annual election of officers, directors and regional vice-presidents will take place Dec. 13 at a statewide meeting of New York Allied at the Statler Hotel, Buffalo. Sentiment favors the reelection of Max A. Cohen of New York as president.

A discussion will be held on the Neely bill. Edmund Souhami, executive secretary and counsel, has sent copies of the Neely bill to all members. A discussion of the measure resulted in its condemnation at a recent regional membership meeting in Syracuse.

Plans for One Film By Howard Hughes

HOLLYWOOD, Nov. 29. — Howard Hughes announced today that he will produce at least one picture this season for release which he said was already set. He declined to disclose the title or nature of the story.

Hughes has borrowed Fred Scheussler, casting director, from Selznick International, for the start of tests for roles in the film, shooting on which is expected to start in January.

Charter Film Company

ALBANY, Nov. 29.—New York Pictures, Inc., has been incorporated here by Sam Spiegler, Ruben Schwartz and Rea Wolkoff, New York.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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LOOK!

Now they're going to celebrate Xmas on

DEC. 12

That's the day when Warners' Merry Xmas triumph gets its nation-wide

TRADE SHOW

In every exchange center! Everybody's coming and bringing their wives to see

FOUR WIVES"



Priscilla Lane · Rosemary Lane
Lola Lane · Gale Page
"FOUR WIVES"
with Claude Rains
JEFFREY LYNN · EDDIE ALBERT · MAY ROBSON
FRANK McHUGH · DICK FORAN · HENRY O'NEILL
The Character of "Mickey Borden," as He Appeared in "Four Daughters," is Portrayed by
JOHN GARFIELD
DIRECTED BY MICHAEL CURTIZ
Screen Play by Julius J. and Philip G. Epstein and Maurice Hanline
Suggested by the Book, "Sister Act," by Fannie Hurst
Music by Max Steiner • A Warner Bros.-First National Picture

COME ONE!
COME ALL!

. . . See in advance *how big* a big Xmas attraction can be!

Short Subject Reviews

"Young America"
(*Atlas Educational Film Co.*)

This subject depicts the work done for fatherless children at Mooseheart, Ill., an educational and vocational home maintained by the Loyal Order of Moose. The subject has been done in color and is available without charge through representatives of the producer in all large cities.

Depicted are intimate scenes of the work of the institution in educating and training its charges from infancy to young manhood and womanhood. The camera work and color are excellent and the descriptive narrative completes an interesting subject well worth screen presentation in any neighborhood or small town theatre. Running time, 9 mins.

"Sky Fighters"
(*20th Century-Fox*)

Methods of training aviators for national defense are described with interesting detail in "Sky Fighters," another in the series of Adventures of the Newsreel Cameraman. Tracing each step from enlistment to the moment the cadet receives his commission, the nine months of training are covered. Outstanding is a shot of fighting planes flying in formation, with their shadows playing across the desert sands. Has many exploitation angles. Running time, 11 mins.

"Broken Earth"
(*Sack Amusement*)

Clarence Muse, Negro singer, makes of this short subject a noteworthy effort. A farmer and widower, his child ill, Muse finds the youngster apparently dying, and in praying for his recovery, sings in Negro spiritual fashion, and most effectively. A background chorus impressively renders Negro spirituals. Running time, 8 mins.

"One Mouse in a Million"
(*Terry-20th Century-Fox*)

The old fable of the mice who decide to bell the cat so that they may know his whereabouts at all times is retold in this black-and-white Terry-Toon. One young mouse rushes away from the approaching cat and leaves his sweetheart behind. The latter escapes, but the swain is in disfavor. In order to redeem himself, he undertakes to bell the cat. Aided by some vanishing cream, he completes his mission successfully. The animation is lively. Running time, 7 mins.

"The Kangaroo Country"
(*20th Century-Fox*)

Lowell Thomas describes Australia in this reel of the Magic Carpet of Movietone. The densely populated cities are contrasted with the primitive aboriginals. Highlighting the reel are shots of Australia's unusual animals, and a slow-motion view of the jumping kangaroo. Worthwhile. Running time, 10 mins.

"Destry Rides Again"
[Universal]

(*Continued from page 1*)

marquee names which are in themselves a real selling asset to the picture. James Stewart, who by his recent work has developed into a top name, herein not only justifies that praise which has gone before, but proves himself a truly versatile actor. As the slow-speaking casual Destry, who comes without guns to clean up the lawlessness of Bottle Neck, and stays to do the job cleverly and quietly, Stewart offers the kind of performance that sticks to an audience's collective ribs.

Marlene Dietrich, in a role unprecedented for her, as the dance hall entertainer, Frenchy, brings a finished performance to her characterization. Hostile at first, playing the game of Brian Donlevy, who runs the town in his own way, she falls in love with the quiet Destry, eventually arouses the women to help finish the lawless gang, and takes the bullet meant for Destry in the slam-bang pitched battle which ends Donlevy and his rule.

The supporting performances are of equal caliber. Charles Winninger, as the town drunk, named sheriff by Donlevy, who calls on Destry to clean the town; Mischa Auer, the Russian who wants to be a cowboy, aids Destry and Winninger, and supplies a fistful of real comedy; Una Merkel, as Auer's wife, whose rough-and-tumble fight with Miss Dietrich is a highlight, and Allen Jenkins, Warren Hymer, Samuel S. Hinds, Billy Gilbert and Jack Carson, give notable assistance.

The production is handsomely mounted, with touches of beautiful Western scenery adding to the effectiveness of the background.

It is the kind of picture which the showman can really sell, and the kind that should have wide appeal for the whole film audience.

Running time, 93 minutes. "G."* CHARLES S. AARONSON

**"G" denotes general classification.*

Fight Sunday Films, Churchmen Urged

HARRISBURG, Pa., Nov. 29.—Church influence in Pennsylvania was called upon to organize an active campaign to defeat Sunday movies and sports at the polls in 1940, in a report made by Dean A. Roger Kratz, of Reading, to the annual convention of the Pennsylvania Council of Churches.

Under a legislative enactment of 1935, each municipal subdivision of Pennsylvania by petition may call for a vote on the Sunday movie and sports propositions every five years. In 1935 the issues were raised in many communities, in some cases with success and in some without. In many of these districts it is expected the issues will be raised again in 1940 when the first five-year period will have expired.

Indianapolis Eases Handbill Ordinance

INDIANAPOLIS, Nov. 29.—The recent decision of the U. S. Supreme Court holding unconstitutional ordinances of three cities restricting the distribution of pamphlets, affects a similar ordinance here, according to Michael B. Reddington, city attorney.

The Indianapolis law permits handbills, pamphlets and other materials to be distributed house-to-house, but forbids passing them on streets or in public places. In view of the ruling of the high tribunal, the section of the ordinance banning distribution on streets will not in future be enforced.

'Gulliver' Broadcast

Paramount has arranged a tieup with Franco-American spaghetti for a nationwide broadcast over 52 CBS stations in connection with the Miami premiere of "Gulliver's Travels." The broadcast will originate from WQAM, Miami, on Dec. 18 at 11 A. M.

RKO Circuit Deals Include 200 Houses

RKO has closed 1939-'40 product deals with eight circuits, totaling more than 200 theatres. The largest are Comerford Circuit, with 85 houses in New York and Pennsylvania, and Skouras Theatres, with 45 houses in New York, New Jersey and Long Island.

Other deals were with United Detroit Theatres, upstate houses of the Fabian Circuit, New York and Brooklyn Loew Circuit, Cabaret and Southside Theatres of California, Confederation Amusement, Ltd., and United Amusement Corp., both Montreal.

CBC Using Radio To Interpret War

MONTREAL, Nov. 29.—CBC is attempting, without impairing a well balanced schedule of musical entertainment on the radio, to interpret to Canadians via the radio the country's war effort, according to a CBC announcement.

The statement pointed out that the "Canada at War" series offers representative Canadians discussing the country's war aims, and the new series of interviews, "We Must Be Free," enables average citizens to express themselves on the war. Numerous other programs present the news of the day, interpretations of international developments, descriptions of the daily life of soldiers and sailors, and the like.

Kane's Agent Quizzed

Examination before trial of Leland Hayward, agent of Robert T. Kane, in charge of British production for 20th Century-Fox, started yesterday in the New York Supreme Court. Hayward is being examined with reference to a $25,000 breach of contract suit brought by Samson Raphaelson against Kane.

GN Creditors Delayed Again; Loan Pending

Creditors' hearing on the proposed financial reorganization of Grand National was adjourned yesterday by Peter B. Olney, referee in bankruptcy, to Dec. 6 to provide further time for Earle W. Hammons, president, to conclude negotiations for a $450,000 loan from the Reconstruction Finance Corp., on the consummation of which the proposed reorganization hinges.

During the one week interval, Referee Olney directed that Patrick E. Shanahan, chairman of the Grand National creditors' committee, must be permitted access to the company's offices and may take such supervision of the company's business as he sees fit.

Hammons will continue the negotiations with the R.F.C. and was directed to report on developments to a creditors' meeting scheduled for next Monday.

Saul E. Rogers, Grand National attorney, reported yesterday that daily contacts with R. F. C. officials and T. Kennedy Stevenson, president of Erpi, which is a participant in the refinancing program, have been maintained. Rogers said that while progress has been made additional time is needed to bring the loan negotiations to their conclusion. He asked for the additional week's time.

Matthew Levy, an I.A.T.S.E. attorney, representing Grand National employes who are creditors on unpaid wage claims, concurred in the granting of the one week's adjournment, asserting that inquiries which had been made of the R. F. C. revealed that the company "had a good chance" of consummating the loan.

Rogers said the principal reason for the delay in completing the negotiations was the filing, several weeks ago, of the involuntary petition against the company by minor creditors.

Prices Hold Level In San Francisco

SAN FRANCISCO, Nov. 29.—No changes in admission scales are contemplated for the Winter season by local exhibitors. Reduced scales, put into effect by four first run houses last summer—the Fox, Warfield, Paramount and St. Francis—are continuing. The same situation prevails among the neighborhood circuits, all of which have agreed to keep in effect the reductions instituted last May.

Business over the Christmas holiday will be much better than usual for the Yuletide period, in the opinion of leading exhibitors here. One leading exhibitor figures Saturday matinee and evening will be heavy, and Sunday matinee also good, with business tapering off Sunday night, because of Christmas eve, then coming back with a bang on Christmas Day.

Wins Blue Law Acquittal

DANVILLE, Va., Nov. 29.—A jury in Corporation Court here acquitted Fleet Robinson, manager of the Virginia, of an alleged violation of the Sunday "blue laws" in permitting a benefit show. Local theatre interests have been trying for a long time to obtain legal sanction for Sunday shows.

TODAY!

Special M-G-M Flash!

"Another Thin Man" tops "Babes in Arms"!

Sensational business in first 26 key runs!

Capitol, N. Y. opening biggest in 3 years! Held over!

Audiences applaud reunion of Bill Powell, Myrna Loy!

"Ninotchka" nationwide returns excite industry!

Radio City Music Hall 3-week run makes history!

Garbo comedy clicks in small towns as in cities!

Industry opinion Garbo has zoomed to new stardom!

"Judge Hardy and Son" Christmas bookings setting record!

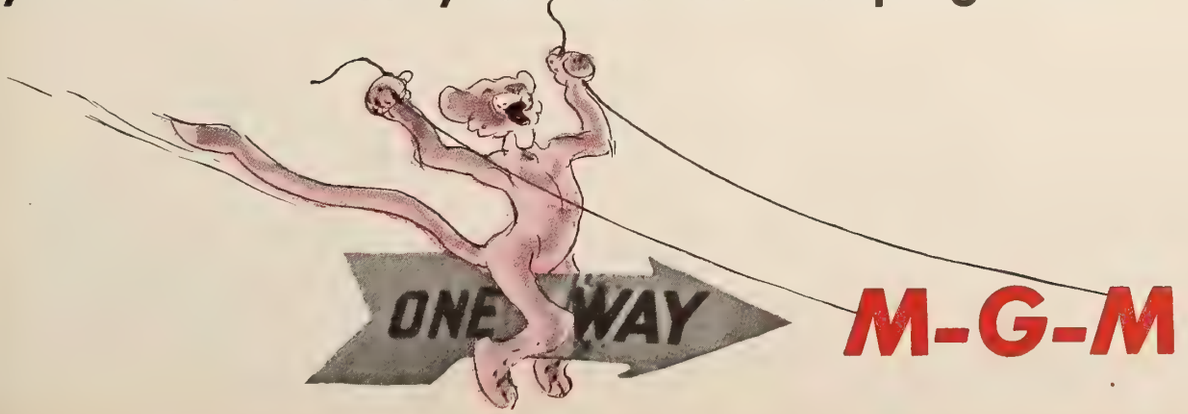
First preview of new Hardy picture is riotous!

Prediction on Coast it will top biggest Hardy hits!

"Balalaika" World Premiere Radio City Music Hall soon!

Watch New Year's bookings for this rousing musical!

Eyes of the industry on Leo the Leaping Lion!



M-G-M

Canada 1938 Film Receipts $33,625,052

(*Continued from page* 1)

Columbia had 69 per cent on full time while the Prairie Provinces had only 38 per cent operating every day throughout the year.

Ontario, with 363 theatres, reported $15,202,597 in gross receipts for 59,562,426 admissions, with a combined seating capacity of 249,575 and an average admission price of 25.5 cents, the whole working out to an efficiency rating of 30 against an efficiency of 28 for the whole country.

The 172 theatres in Quebec had an economic rating of 25, with receipts of $6,897,986; admissions, 29,561,273; seating capacity of 120,061 and average admission, 23.3 cents.

The 116 theatres in British Columbia rated 32, with $3,665,264 receipts, 15,829,392 admissions, 68,680 seating capacity and 23.2 cents for average admission price.

Admissions Increased 3.7 Per Cent in Ontario

TORONTO, Nov. 29.—A resume of the 1938 annual theatre report of the Canadian Government shows a net increase in all receipts of 5.2 per cent in the Province of Ontario, with a net increase of 3.7 per cent in actual admissions. The Province of Quebec showed a 2.2 per cent increase in receipts and a 0.1 per cent decrease in admissions. New Brunswick had 4.9 per cent increase in receipts and 2.5 per cent increase in tickets sold, while Nova Scotia had increases of 3.3 per cent in revenue and 2.4 per cent in admissions.

In the Canadian West, Manitoba increases were 3.8 per cent in revenue and 3.8 per cent in admissions, while Saskatchewan was down 2.4 per cent in receipts and up 0.7 per cent in admissions; Alberta had increases of 4.2 per cent and 5.8 per cent respectively and British Columbia revealed receipts up 0.8 per cent and admissions up 2.9 per cent.

The city of St. Thomas, Ont., showed the greatest advance among the larger municipalities with an increase of 11.9 per cent in gross receipts and 18 per cent in admissions for its three theatres. The greatest decrease in attendance was recorded at the three theatres in Sudbury, Ont., at 9.7 per cent, but receipts here increased by 4.4 per cent.

Among the large cities, Toronto showed an increase of 0.1 per cent with 22,741,648 admissions and 1.3 per cent increase in receipts at $5,724,867 for 106 theatres, these being the greatest totals for any municipality. Montreal, with 67 theatres, had a decrease in revenue of 0.3 per cent at $4,906,559 and a 3 per cent decrease in patronage at 21,650,842. Vancouver, B. C., stood third with an increase of 2.1 per cent in attendance at 9,547,313 for its 37 theatres, but a decrease of 0.5 per cent in revenue at $2,074,137. Winnipeg, with 41 theatres, showed decreases of less than 1 per cent in both columns, admissions being 7,952,162 and receipts $1,796,006. Hamilton, Ont., was next, the 19 theatres having receipts of $1,004,401, up 2.9 per cent, and admissions of 4,378,663, up 2.2 per cent. Ottawa, with 14 theatres, was up 1.9 per cent in admissions and up 4.4 per cent in grosses.

Exploitation

Baby Contests Plug K. C. 'Child' Opening

In connection with the Kansas City premiere of Warners' "A Child Is Born," at the Newman on Dec. 5, Jarry Zigmond, manger of the house, has arranged a competition with the Kansas City *Star* to select a baby from that territory who will have the place of honor at the opening and be the New Year Baby for the 1940 edition of Universal Newsreel. A jury of seven nurses from Kansas City hospitals will make the final selection.

Milk bottle collars carrying ad copy, honoring of Kansas City's oldest doctor and a baby diapering contest are other exploitation stunts planned for the film.

'Four Wives' Previews In 39 Warner Branches

Leading citizens, members of the press, clergy, women's clubs and exhibitors and their wives will be invited to special trade showings of Warners' "Four Wives" at all of the company's 39 exchanges in the United States and Canada on Dec. 12.

Christmas Display Aids Utica Stanley

UTICA, N. Y., Nov. 29.—Early in the field with a marquee Christmas display is Warner's Stanley, first run managed by William Haines. Haines sold the idea to five local merchants, with a live but unseen Santa Claus carrying on chit-chat with the children and plugging the stores when adults are near.

British Soldier Plugs "Cavell" at Avon, Utica

UTICA, N. Y., Nov. 29.—Arnold Stoltz, Warner circuit manager at the Avon, exploited "Nurse Cavell" by bringing one of the British soldiers smuggled out of Belgium by Miss Cavell to the stage one night during the run to tell about the World War nurse's action.

2-Week 'Gulliver' Guarantee Asked

(*Continued from page* 1)

theatre associates. Production cost was in excess of $1,000,000, with print costs and advertising additional.

An exploitation force of 10 men is being assigned to key territories throughout the country for local work on the picture prior to its opening engagements.

The inability of Technicolor to deliver sufficient prints to service all of Paramount's pre-release accounts prior to the holidays will delay many key city openings of the picture until after New Year's Day and in some instances will result in the opening of the picture on Sundays or Mondays during the holidays.

Technicolor has been able to assure Paramount a first print by Dec. 15. The picture will have its world premiere at Miami on Dec. 18. It will open at the Paramount, New York, Dec. 20.

Print Deliveries Delayed

The schedule of print deliveries calls for six on Dec. 18 and daily deliveries thereafter for a total of 36 prints by Dec. 23. Prints completed on the latter date and air-expressed to theatres would not be delivered until Sunday, Dec. 24, or Christmas Day.

This circumstance, while unavoidable on the distributor's part, being due entirely to Technicolor's inability to deliver prints earlier, will present a problem to the theatres involved which customarily change programs on Thursdays, Fridays or Saturdays.

Approximately 30 additional prints will be available during New Year's week.

Shipping of the prints as they are made available is being handled in the order in which contracts were closed.

Kelly in Boston Job

E. Thornton Kelly, formerly executive secretary of New York Allied, has joined Independent Theatres of New England as field secretary, with headquarters in Boston. He is at present working on a membership campaign for Allied of Connecticut, which is affiliated with the New England group.

Wage Fight Looms At Newark Parley

(*Continued from page* 1)

business representative of Studio Electricians Local 40, I.B.E.W., and William Castle, business representative of Studio Carpenters Local 946, will leave Friday for the sessions.

Musicians Local 47, which has 6,800 members of whom 100 work in Hollywood studios, is not sending anyone, according to J. W. Gillette, International representative.

Carpenters at an earlier session of basic agreement groups this year receive a 10 per cent wage increase granted to members of other crafts some years ago and denied to carpenters at that time.

Whether unions will get pay hikes as a result of the Newark conference remains doubtful, but leaders are hopeful that it will go through, in view of raises granted I.A.T.S.E. and other crafts in Hollywood in the last few months.

Radio to Dramatize History of Movies

The history of the film industry will be dramatized in the "What's Art to Me" program over CBS Saturday at 6:30 P. M. Iris Barry, curator of the Museum of Modern Art film library, will be heard on the program.

Kalmenson on Tour

HOLLYWOOD, Nov. 29.—Ben Kalmenson, Warners Western division sales chief, flew to San Francisco yesterday, to meet exchange employes on plans for the fourth annual Sears drive beginning Dec. 24. He later will meet other branch personnel in other key cities in his territory before returnning to New York.

Exhibitors to Hear Poole

HOLLYWOOD, Nov. 29.—Robert H. Poole, executive secretary of the Pacific Coast Conference of Independent Theatre Owners, leaves Friday for Seattle and cities in Oregon to address exhibitor meetings next week.

Notes on Radio Personalities And Programs

Starting a new type of sports broadcasting, WNEW will cover independent baseball games. All home games of the N. Y. Giants will be broadcast at 9:30 P. M. Wednesdays and Saturdays, starting Dec. 2.

Television will join three simultaneous dinners in Albany, Troy and Schenectady, Friday, Dec. 8, when the Rotary clubs of those cities will hear and see officers who will speak from the General Electric television studio 12 miles from Schenectady. Receivers will be placed at all meeting rooms.

For the second year, Stan Lomax, WOR sports announcer, has exclusive rights to announce the N. Y. *Sun*-Associated Press All-American football selections. He will be heard tomorrow at 7 P. M. but the selections will not be published until Saturday afternoon.

Bill Henry, CBS warfront correspondent, returns on the *Dixie Clipper* Sunday.

Bernard L. Schubert, sales manager at Phillips H. Lord, weds Doris F. Schulman Saturday evening.

Cyril Armbrister has joined the New York radio production staff of Benton & Bowles. Addison Smith has been transferred from the B. & B. Hollywood office to New York.

Radio, Newspapers In Frisco Accord

SAN FRANCISCO, Nov. 29.—Restoration of friendly relations between press and radio here, after two years of animosity, was indicated in an agreement between NBC's KPO and KGO, and the *Chronicle* and *News*, morning and afternoon dailies respectively. All four will cooperate in mutual promotional activities.

The agreement is the first break in the radio-press feud which began in 1937, when local sheets dropped radio columns and publicity. The new tieup is a result of a successful five-hour election night broadcast, staged by KPO-KGO from the *Chronicle* editorial rooms. So far neither Hearst paper, the afternoon *Call-Bulletin*, or morning *Examiner*, has indicated a desire to realign with radio.

Four Big Program Renewals By NBC

Four program renewals were disclosed yesterday by NBC. Andrew Jergens Co. has renewed Walter Winchell's "Jergen's Journal" and the "Parker Family" effective Dec. 31, for 62 Blue network stations, and the "Hollywood Playhouse," effective Jan. 3, for 59 Red stations.

Kay Kyser's "Kollege of Musical Knowledge" was renewed by American Tobacco Co., effective Jan. 3 for 94 Red stations. J. B. Williams Co. renewed "True or False," effective Jan. 1, for 34 Blue stations.

Harper on Coast

Joseph W. Harper, son-in-law of Cecil B. DeMille, has been named Coast representative of the Rapid Electrotype Co. of Cincinnati.

'Cat and the Canary' A Wow at Paramount





DAILY NEWS, THURSDAY, NOVEMBER 23, 1939

DON'T SAY WE DIDN'T TELL YOU!

Paramount Pictures





"CAT and the CANARY" at N. Y. Paramount does biggest Thanksgiving business in 8 years. First week estimated to be top grosser in the last fourteen months, with one exception!

IT'S THE CATS in LOS ANGELES!

Paramount's "Cat and the Canary" zooms gross to 132% above average!

IT'S THE CATS in SOUTH BEND, IND.

Paramount's "Cat and the Canary" shoots 50% ahead of "Honeymoon in Bali"!

IT'S THE CATS in KANSAS CITY!

Paramount's "Cat and the Canary" wows them with 124% above average business!

IT'S THE CATS in NEWARK!

Paramount's "Cat and the Canary" beats strong grosser, "Honeymoon in Bali" by 20%!

IT'S THE CATS in SALT LAKE CITY!

Paramount's "Cat and the Canary" hits 123% above average!

Paramount's

"THE CAT and the CANARY"

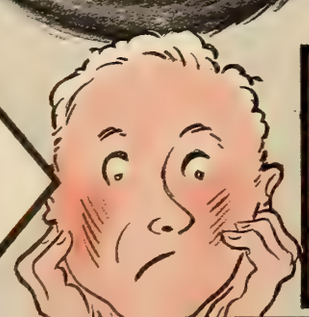
starring

Bob Hope • Paulette Goddard

with John Beal • Douglass Montgomery
Gale Sondergaard • Elizabeth Patterson
George Zucco • A Paramount Picture • Directed by ELLIOTT NUGENT • Screen Play by Walter De Leon and Lynn Starling • Based on the Stage Play by John Willard

Is your face RED?

Did you miss out on the surprise hit of the year?



BOOK IT NOW!

Get behind it big . . . and look like the cat that swallowed the canary!



'Smith' Holds Chicago Pace With $14,200

CHICAGO, Nov. 29. — "Mr. Smith Goes to Washington" continued to set the pace, with $14,200 for the second week at the Apollo. "Nurse Edith Cavell" at the State-Lake plus Cab Calloway and band drew $16,400.

Estimated takings for the week ending Nov. 22-25:

"Mr. Smith Goes to Washington" (Col.)
APOLLO—(1,400) (25c-55c-75c) 7 days, 2nd week. Gross: $14,200. (Average, $6,000)
"Ruler of the Sea" (Para.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Ted Weems & Band. Gross: $30,600. (Average, $32,000)
"Honeymoon in Bali" (Para.)
GARRICK—(900) (35c-40c-65c) 7 days. Gross: $4,400. (Average, $5,000)
"Here, I Am a Stranger" (20th-Fox)
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $14,000. (Average, $13,000)
"Allegheny Uprising" (RKO)
"Little Accident" (Univ.)
PALACE—(2,500) (35c-55c-75c) 8 days. Gross: $12,000. (Average, $12,000)
"Jamaica Inn" (Para.)
ROOSEVELT—(1,300) (35c-55c-75c) 7 days, 2nd week. Gross: $8,200. (Average, $11,000)
"Nurse Edith Cavell" (RKO)
STATE-LAKE—(2,700) (25c-35c-40c) 7 days. Stage: Cab Calloway & Band. Gross: $16,400. (Average, $12,000)
"Marx Bros. at the Circus" (M-G-M)
UNITED ARTISTS — (1,700) (35c-55c-75c) 7 days. Gross: $12,800. (Average, $14,000)

Kansas City Gives 'Canary' Big $8,900

KANSAS CITY, Nov. 29.—"The Cat and the Canary" and "$1,000 a Touchdown" took $8,900 at the Newman. "Little Accident" with a stage show gave the Tower $6,500.

Estimated takings for the week ending Nov. 21-23:

"Drums Along the Mohawk" (20th-Fox)
ESQUIRE—(800) (25c-40c) 5 days, 2nd week. Gross: $2,400. (Average, $1,900)
"Dancing Co-ed" (M-G-M)
"Beware Spooks" (Col.)
MIDLAND — (4,000) (25c-40c) 7 days. Gross: $8,000. (Average, $10,500)
"The Cat and the Canary" (Para.)
"$1,000 a Touchdown" (Para.)
NEWMAN — (1,900) (25c-40c) 7 days. Gross: $8,900. (Average, $7,000)
"On Your Toes" (W. B.)
"Espionage Agent" (W. B.)
ORPHEUM — (1,500) (25c-40c) 7 days. Gross: $4,300. (Average, $5,000)
"Little Accident" (Univ.)
TOWER—(2,000) (25c) 7 days. Stage: Herman Timberg, Jr., and Pat Rooney, Jr.; George Lyons, Pedro & Luis. Gross: $6,500. (Average, $5,000)
"Drums Along the Mohawk" (20th-Fox)
UPTOWN—(2,000) (25c-40c) 5 days, 2nd week. Gross: $3,200. (Average, $2,800)

Theatre Sues U. A.

COLUMBUS, O., Nov. 29.—Suit for $25,275 has been filed in Common Pleas Court by Ardmore Amusement, Inc., operators of the suburban Bexley, against United Artists, Cleveland, charging breach of contract. Plaintiffs allege that U. A. furnished to a nearby competitive house a group of pictures for which the Bexley had signed a contract for exclusive first run showing.

Finish All-Negro Film

Lenwal Productions has completed "Pocomania," an all-Negro film, and plans a world premiere in Jamaica, British West Indies, in December. Late in the month, the film will be released here.

Hollywood Review

"The Big Guy"

(Universal)

HOLLYWOOD, Nov. 29.—Victor McLaglen, Jackie Cooper, Edward Brophy, Ona Munson and Peggy Moran give potent performances in this novelly plotted and well produced prison story. Lester Cole's screenplay, from a story by Wallace Sullavan and Richard K. Polmer, stays strictly out of the rut throughout, and Arthur Lubin's direction of the Bert Kelly production gives it steadiness all the way and realism in the crises.

Mr. McLaglen is seen again, more or less inevitably, in conflict with his conscience, and again he conquers temptation but dies violently in the fadeout. Cooper is at his best as a young man caught in a mesh of circumstantial evidence and sentenced to die for a crime he did not commit. Brophy is a standout as a comedy-relief trusty who abruptly becomes a killer, providing the highly melodramatic finish.

Brought out by Universal without excessive fanfare, the film is solid material throughout, dependable entertainment in the best meaning of the phrase.

Running time, 78 minutes. "G."* ROSCOE WILLIAMS

**"G" denotes general classification.*

'First Love' Draws $12,500, Cincinnati

CINCINNATI, Nov. 29.—"First Love" garnered $12,500 at the RKO Palace and "Drums Along the Mohawk" collected $13,500 at the RKO Albee.

Estimated takings for the week ending Nov. 22-25:

"Drums Along the Mohawk" (20th-Fox)
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $13,500. (Average, $12,000)
"First Love" (Univ.)
RKO PALACE—(2,700) (35c-42c) 7 days. Gross: $12,500. (Average, $10,000)
"Pack Up Your Troubles" (20th-Fox)
RKO SHUBERT—(2,150) (40-60c) 7 days. Stage: Andrews Sisters and vaudeville. Gross: $13,000. (Average, $10,000)
"The Private Lives of Elizabeth and Essex" (W. B.)
RKO CAPITOL—(2,000) (35c-42c) 7 days, 2nd week. Gross: $4,200. (Average, $6,500)
"Mr. Smith Goes to Washington" (Col.)
RKO LYRIC—(1,400) (25c-40c) 7 days, 5th week. Gross: $4,000. (Average, $5,000)
"Smashing the Money Ring" (W. B.)
"Tropic Fury" (Univ.)
RKO FAMILY—(1,000) (15c-25c) 4 days. Gross: $1,200. (Average, $1,500)
"Rovin' Tumbleweeds" (Rep.)
"Sabotage" (Rep.)
RKO FAMILY—(1,000) (15c-25c) 3 days. Gross: $800. (Average, $900)
"On Dress Parade" (W. B.)
KEITH'S—(1,500) (30c-40c) 7 days. Gross: $4,700. (Average, $6,000)

Heidt Hits $17,500 In Indianapolis

INDIANAPOLIS, Nov. 29. — Horace Heidt's band on the stage and "Heaven With a Barbed Wire Fence" on the screen brought the Lyric $17,500.

Estimated takings for the week ending Nov. 23-24:

"Drums Along the Mohawk" (20th-Fox)
APOLLO—(1,100) (25c-40c) 7 days, 2nd week. Gross: $2,000. (Average, $2,500)
"First Love" (Univ.)
"Missing Evidence" (Univ.)
CIRCLE—(2,800) (25c-40c) 7 days. Gross: $7,800. (Average, $6,000)
"Rulers of the Sea" (Para.)
"Our Neighbors, the Carters" (Para.)
INDIANA — (3,200) (25c-40c) 6 days. Gross: $4,400. (Average, $5,000)
"Marx Brothers at the Circus" (M-G-M)
"Those High Gray Walls" (Col.)
LOEW'S—(2,800) (25c-40c) 7 days. Gross: $6,800. (Average, $7,000)
"Heaven With a Barbed Wire Fence" (20th-Fox)
LYRIC—(2,000) (25c-40c) 7 days. Stage: Horace Heidt and his Musical Knights. Gross: $17,500. (Average, $8,000)

Plan New Year Party

KANSAS CITY, Nov. 29.—The local Variety Club will sponsor a New Year's party in the clubrooms.

'At the Circus' Hits $11,500, Providence

PROVIDENCE, Nov. 29.—Loew's State with "At the Circus" and "Bad Little Angel" took $11,500. The Carlton turned in $5,700 for the second week of "Mr. Smith Goes to Washington."

Estimated takings for the week ending Nov. 21-23:

"At the Circus" (M-G-M)
"Bad Little Angel" (M-G-M)
LOEW'S STATE—(3,230) (25c-35c-50c) 7 days. Gross: $11,500. (Avearge, $11,000)
"Tower of London" (Univ.)
"Too Busy to Work" (20th-Fox)
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $7,200. (Average, $7,000)
"Allegheny Uprising" (RKO)
"Hero for a Day" (Univ.)
RKO-ALBEE—(2,239) (25c-35c-50c) 7 days. Gross: $6,000. (Average, $6,000)
"Blondie Brings Up Baby" (Col.) (3 days)
"Television Spy" (Para.) (3 days)
"Paris Honeymoon" (Para.) (4 days) (Revival)
"Spawn of the North" (Para.) (4 days) (Revival)
STRAND—(2,100) (25c-35c-50c). Gross: $4,000. (Average, $6,000)
"Drums Along the Mohawk" (20th-Fox)
FAY'S—(1,800) (25c-35c-40c) 7 days, 2nd week. Stage show, featuring Bert Yorke and Beatrice Tracey; Lavier & Morgan; The Bricklayers; Trent and Sawyer; and the 3 St. John Brothers. Gross: $6,300. (Average, $6,500)
"Mr. Smith Goes to Washington" (Col.)
"Smuggled Cargo" (Rep.)
CARLTON—(1,526) (25c-35c-50c) 7 days, 2nd week. Gross: $5,700. (Average, $3,500)
"Espionage Agent" (W. B.) (3 days)
"The Under-Pup" (Univ.) (3 days)
"Hollywood Cavalcade" (20th-Fox) (4 days)
"Blackmail" (M-G-M) (4 days)
EMPIRE—(20c-30c) 2nd run. Gross: $1,800. (Average, $1,800)

Film to Have Boyer And Deanna Durbin

Charles Boyer, who arrived last week from France, is scheduled to be featured in a Deanna Durbin picture for Universal. He obtained leave of absence from army service in order to fulfill his commitment with the company.

The story has not been set, but it will be Miss Durbin's third film for Universal this season.

Boyer is also committed to complete "Le Corsaire" in Paris for a French company, production on which was under way for six weeks when the war broke out. He has an indefinite leave from service and his return to France is likewise indefinite.

Boyer has denied newspaper reports that he is on a Government propaganda mission.

'First Love' Minneapolis Best, $9,200

MINNEAPOLIS, Nov. 29.—Best grosser in Minneapolis was "First Love," with $9,200 at the Orpheum. "Drums Along the Mohawk" did $9,100 at the State.

In St. Paul "The Real Glory" at the Orpheum took $5,000.

Estimated takings for the week ending Nov. 23:

Minneapolis:

"Bright Boys" (Univ.)
"Kid Nightingdale" (W. B.)
ASTER—(900) (15c-25c) 7 days. Gross: $2,000. (Average, $1,500)
"Mr. Smith Goes to Washington" (Col.)
CENTURY—(1,600) (25c-40c) 7 days, 3rd week. Gross: $4,300. (Average, $4,000)
"Love Affair" (RKO)
ESQUIRE—(290) (25c-40c) 7 days. Gross: $600. (Average, $700)
"Full Confession" (RKO)
GOPHER—(990) (25c) 5 days. Gross: $1,500. (Average, $2,500)
"Panama Patrol" (G. N.)
MINNESOTA—(4,300) 7 days, with stage show. Gross: $5,000. (Average, $6,000)
"First Love" (Univ.)
ORPHEUM — (2,900) (25c-40c) 7 days. Gross: $9,200. (Average, $4,400)
"Drums Along the Mohawk" (20th-Fox)
STATE—(2,300) (25c-40c) 7 days. Gross: $9,100. (Average, $4,400)
"Under-Pup" (Univ.)
WORLD — (400) (25c-55c) 6 days, 2nd week. Gross: $800. (Average, $1,600)

St. Paul:

"The Real Glory" (U. A.)
ORPHEUM — (2,000) (25c-40c) 7 days. Gross: $5,000. (Average, $3,200)
"Elizabeth and Essex" (W. B.)
PARAMOUNT—(2,500) (25c-40c). Gross: $4,800. (Average, $4,400)
"Dancing Co-Ed" (M-G-M)
RIVIERA—(1,000) (25c). Gross: $2,300. (Average, $1,800)
"Pack Up Your Troubles" (20th-Fox)
"Smashing the Money Ring" (F. N.)
TOWER—(1,000) (25c). Gross: $1,800. (Average, $1,600)
"They Shall Have Music" (U. A.)
WORLD—(400) (25c-55c) 6 days, 3rd week. Gross: $600. (Average, $700)

'Drums' at Detroit Gets $16,000 Gross

DETROIT, Nov. 29. — "Drums Along the Mohawk" in its second week at the Fox, drew $16,000, the only attraction to do above average.

Estimated takings for the week ending Nov. 23:

"Mr. Smith Goes to Washington" (Col.)
"Behind Prison Gates" (Col.)
ADAMS—(1,700) (15c-40c) 7 days. Gross: $4,800. (Average, $5,000)
"The Rains Came" (20th-Fox)
"These Glamour Girls" (M-G-M)
FISHER—(2,000) (15c-40c) 7 days. Gross: $4,500. (Average, $4,500)
"Drums Along the Mohawk" (20th-Fox)
"Little Accident" (Univ.)
FOX—(5,000) (25c-55c) 7 days. Gross: $16,000. (Average, $12,000)
"Rulers of the Sea" (Para.)
"$1,000 a Touchdown" (Para.)
MICHIGAN — (4,000) (15c-60c) 7 days. Gross: $10,000. (Average, $10,000)
"The Roaring Twenties" (W. B.)
"Remember?" (M-G-M)
PALMS—(3,000) (15c-50c) 7 days. Gross: $5,000. (Average, $5,000)
"Another Thin Man" (M-G-M)
UNITED ARTISTS—(2,100) (15c-55c) 7 days. Gross: $9,500. (Average, $10,000)

Musicians Vote Dec. 11

CINCINNATI, Nov. 29.—Annual election of the Cincinnati Musicians' Association is set for Dec. 11. Oscar F. Hild, president, Joseph Lugar, vice-president and Charles Joseph, treasurer, present incumbents, are unopposed for reelection.

'Smith' Scores Hit at $23,400, Philadelphia

PHILADELPHIA, Nov. 29.—"Mr. Smith Goes to Washington" was tops here at the Stanley, grossing $23,400. A "name" stage show at the Earle, with "The Return of Doctor X" on the screen, earned $20,000.

Estimated takings for the week ending Nov. 23:

"The Housekeeper's Daughter" (U. A.)
ALDINE—(1,700) (32c-42c-68c) 7 days, 2nd week. Gross: $11,100. (Average, $8,000)

"Marx Brothers at the Circus" (M-G-M)
ARCADIA—(600) (32c-42c-57c) 7 days, 2nd run. Gross: $2,500. (Average, $2,600)

"The Private Lives of Elizabeth and Essex" (W. B.)
BOYD—(2,400) (32c-42c-68c) 7 days, 3rd week. Gross: $9,800. (Average, $12,000)

"The Return of Doctor X" (W. B.)
EARLE—(2,400) (32c-42c-57c-68c) 6 days (closed Sundays). Stage: George Hall and his orchestra, with Dolly Dawn, vocalist; Hoot Gibson and his horse, with Billy Raymond; Parkyakarkus and Johnny Downs. Gross: $20,000. (Average, $18,000)

"Jamaica Inn" (Para.)
FOX—(3,000) (32c-42c-68c) 7 days. Gross: $14,700. (Average, $13,000)

"Drums Along the Mohawk" (20th-Fox)
KARLTON—(1,000) (32c-42c-57c) 7 days, 2nd run. Gross: $5,800. (Average, $3,000)

"First Love" (Univ.)
KEITH'S—(2,200) (32c-42c-57c) 7 days, 2nd run. Gross: $5,600. (Average, $3,500)

"Mr. Smith Goes to Washington" (Col.)
STANLEY—(3,700) (32c-42c-68c) 7 days. Gross: $23,400. (Average, $14,000)

"The Real Glory" (U. A.)
STANTON—(1,700) (26c-32c-42c) 6 days, 2nd run. Gross: $5,200. (Average, 7 days, $4,500)

New York Review

"One Dark Night"

(Sack Amusement)

An all-Negro film, produced by Million Dollar Productions, with Harry M. Popkin as producer, this picture should find a ready response among Negro audiences for whom it is designed.

Recounting the story of the Brown family, the film has more than a few genuinely amusing moments, for which Manton Moreland, as the shiftless father, is chiefly responsible. The romantic interest is handled by his daughter, a dancer in a night club, and her dancing partner, while the menace is supplied by the night club proprietor, whose intentions are not of the best.

The film has been produced in competent fashion, with evidence of attention to detail. Leo C. Popkin's direction concentrates as far as possible on Moreland, whose performance is the backbone of the film. Moreland lives off the earnings of his daughter, but after a tongue-lashing by her, he leaves home. Prospecting, he finds a quantity of radium, becomes wealthy, proprietor of the night club, and lord of all he surveys.

Running time, 81 minutes. "G."* CHARLES S. AARONSON

**"G" denotes general classification.*

Buffalo Gives 'Circus' Fine $21,700 Lead

BUFFALO, Nov. 29.—"A Day at the Circus," Dick Powell and Emery Deutsch and his orchestra brought the Buffalo $21,700. "Disputed Passage" drew well at the Great Lakes with $11,000.

Estimated takings for the week ending Nov. 25:

"A Day at the Circus" (M-G-M)
BUFFALO—(3,000) (30c-35c-55c) 7 days. Emery Deutsch & Orch. and Dick Powell on stage. Gross: $21,700. (Average, $12,000)

"Disputed Passage" (Para.)
"The Honeymoon Is Over" (20th-Fox)
GREAT LAKES—(3,000) (30c-50c) 7 days. Gross: $11,000. (Average, $7,500)

"Drums Along the Mohawk" (20th-Fox)
"Too Busy to Work" (20th-Fox)
HIPPODROME—(2,500) (25c-35c) 7 days, 2nd week. Gross: $5,300. (Average, $6,800)

"Those High Grey Walls" (Col.)
"Beware Spooks" (Col.)
LAFAYETTE—(3,300) (25c-35c) 7 days. Gross: $4,600. (Average, $6,300)

"Meet Dr. Christian" (RKO)
TWENTIETH CENTURY—(3,500) (30c-40c) 7 days. Shep Fields & orch. on stage. Gross: $16,400. (Average, $6,800)

'First Love' L. A. Winner With $28,300

LOS ANGELES, Nov. 29.—"First Love" and "Three Sons" scored $28,300 at two houses, $14,200 at the Hillstreet and $14,100 at the Pantages. "Intermezzo" took $4,800 in its third week at the 4 Star.

Estimated takings for the week ending Nov. 29:

"Another Thin Man" (M-G-M)
"Heaven With a Barbed-Wire Fence" (20th-Fox)
CHINESE—(2,500) (30c-75c) 7 days. Gross: $14,500. (Average, $12,500)

"Intermezzo" (U. A.)
4 STAR—(900) (40c-50c) 7 days, 3rd week. Gross: $4,800. (Average, $3,250)

"First Love" (Univ.)
"Three Sons" (RKO)
HILLSTREET—(2,700) (30c-65c) 7 days. Gross: $14,200. (Average, $6,500)

"Another Thin Man" (M-G-M)
"Heaven With a Barbed-Wire Fence" (20th-Fox)
LOEW'S STATE—(2,500) (30c-75c) 7 days. Gross: $18,800. (Average, $14,000)

"First Love" (Univ.)
"Three Sons" (RKO)
PANTAGES—(3,000) (30c-65c) 7 days. Gross: $14,100. (Average, $7,000)

"Rulers of the Sea" (Para.)
PARAMOUNT—(3,595) (30c-65c) 7 days. Stage: F. & M. revue, Olympe Bradna, Donald O'Connor, Harry James and his orchestra. Gross: $18,000. (Average, $15,000)

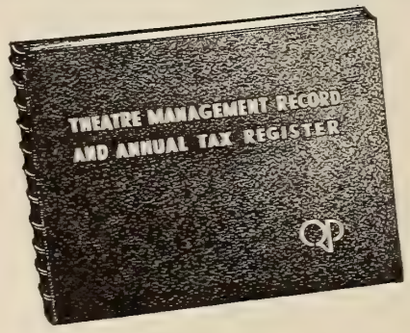
"The Private Lives of Elizabeth and Essex" (W. B.)
WARNER BROS. (HOLLYWOOD)—(3,000) (30c-65c) 7 days, 2nd week. Gross: $9,100. (Average, $14,000)

"The Private Lives of Elizabeth and Essex" (W. B.)
WARNER BROS. (DOWNTOWN)—(3,400) (30c-65c) 7 days, 2nd week. Gross: $9,400. (Average, $12,000)

"Well, folks, I haven't got anything new for you. Marco came, Marco's gone. Now we can begin thinking about our own affairs."



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VOL. 46. NO. 107 NEW YORK, U. S. A., FRIDAY, DECEMBER 1, 1939 TEN CENTS

British Weigh Producer Aid By Cash Pool

Government May Employ 'Frozen' U. S. Funds

By AUBREY FLANAGAN

LONDON, Nov. 30.—It is understood authoritatively here that the British Board of Trade is considering a financing plan to assist British producers.

The plan would create a money pool, chiefly using the frozen funds of American distributors in this country under the new remittance arrangement, and loans would be made to approved producers. It is believed likely that the Board of Trade would take a definite interest in rental arrangements on the product.

American interests here are inclined to accept the possibility of such a Government step, and probably would be granted an option to loan their money for this purpose if the principal and interest are guaranteed. They consider it extremely unlikely, however, that rental control would be exercised.

In his statement last week Oliver Stanley, president of the Board of Trade, said the Government "will immediately consider the possibility of replacing the quota provisions by alternative arrangements." These arrangements replace the footage and cost quota provisions by an equivalent expenditure.

New Pictures Open; Grosses Are Firm

With the opening today of "Elizabeth and Essex" at the Strand and "The Housekeeper's Daughter," at the Roxy, Broadway houses have an unusually fine array of films this week.

Following the three-week run of "Ninotchka" at the Music Hall, with a stage show, which drew an estimated $108,000 for its third week, "We Are Not Alone" opened big yesterday.

"Another Thin Man" brought an estimated $45,000 at the Capitol and is held there for an indefinite run. At the Roxy, "Daytime Wife," with a stage show, brought an estimated $43,000. Third week of "The Roaring Twenties" with Bob Crosby's band on the stage, grossed an estimated $31,000. "Destry Rides Again" opened at the Rivoli yesterday after three weeks for "First Love" which garnered an estimated $15,000 for the third stanza.

New Light Camera Boon to Television; F.C.C. Test Today

New television equipment for field pickups, which is as mobile as a newsreel camera outfit, will be delivered to NBC early next week and will be put into experimental use at once. Several weeks will elapse before it is used for actual telecasts.

A preliminary view of the new equipment will be given by R.C.A. at the Federal Communications Commission office in Washington this afternoon.

The equipment is designed to be able to pick up floor shows in night clubs, prize fights, Broadway theatres, and similar places now inaccessible to the two 10-ton trucks used as a mobile unit.

Advantages claimed are that it weighs about one-tenth as much as the present outfit, costs about one-fifth as much, permits one picture to fade into another through use of three cameras, can be broken down into 12 suit cases weighing 35 to 72 pounds each, and can be transported in taxicabs or a light truck. If only one camera is desired, four suitcases are sufficient.

Additionally, the new unit works on 110-volts, single phase power, instead of 220-volt, three phase. The new units use wavelengths of about one meter, the shortest yet employed in practical television work. The new relay station may be used in connection with the present mobile station and thus covers a wide area, as at racetracks.

Fugitive Warrant Is Issued for Bioff

Hollywood, Nov. 30. — The Los Angeles county district attorney's office today issued a fugitive warrant for William Bioff, I.A.T.S.E. leader, to expedite extradition proceedings brought by Chicago authorities on his conviction 17 years ago on a pandering charge.

Tickets Go on Sale For 'Wind' in N.Y.

Tickets will go on sale today at both the Astor and Capitol on Broadway for their dual premiere of "Gone With the Wind" at 8:15 P. M. on Dec. 19.

Following the opening night, the Astor will present "Gone With the Wind" on a two-a-day, reserved seat basis, at 2:15 and 8:15 P. M. Matinee prices are 75 cents, 85 cents and $1.10, including tax, while evening prices are 75 cents, $1.10, $1.65 and $2.20. Reserved seats are available at the Astor for the first four weeks of the engagement.

The Capitol, after the opening night, will adhere to an unreserved seat policy, with a general admission scale of 75 cents before 5 P. M., and $1.10 after that hour. On Saturdays and holidays the higher price will go into effect at 3 P. M. There will be three showings of the picture daily, at 11:30 A. M., 4:15 P. M. and 9 P. M.

'The Great Victor Herbert'

[Paramount]

HOLLYWOOD, Nov. 30.—Lives there a man with ear so dull it tingleth not just a little to "Kiss in the Dark," "Falling in Love with Someone" and at least half a dozen more of the 26 Victor Herbert melodies magnificently played and sung in this production?

If such there be, which seems doubtful, go mark him well, because he's the fellow this film wasn't built for. The people it was built for, and as solidly as Boulder Dam, are the millions of men, women and children who've been living in a world thoroughly and fondly exposed to Victor Herbert's music, via stage, radio gramophone, concert soprano and bathtub baritone, since the Twentieth Century started. For all of these the picture is as rare a treat as Christmas dinner with the family, not including wrong relatives.

The people who built the picture for all these millions of people are master builders, wise in their choice of materials and shrewd in their customer analysis. On the off-screen side, a lion's share of credit goes to Andrew L. Stone, who produced and directed the picture after collaborating with Robert Lively on the story, the latter then collaborating, in turn, with Russel Crouse on the screenplay.

Among the unseen notably accountable for the tangible charm which

(Continued on page 7)

U. S. Theatres Get Vaudeville Union's Terms

AGVA Demands Closed Shop, Minimum Wages

American Guild of Variety Artists, union of vaudeville and night club performers, sent contracts to major theatre circuits yesterday demanding that the union be recognized as the collective bargaining agency for all houses using vaudeville or stage presentations.

The move is the first effort, on a national scale, by the A.G.V.A. which was chartered last Summer after the charter of the American Federation of Actors was revoked.

Affected will be all vaudeville houses on Broadway which feature stage shows.

Demands include a closed shop, a 40-hour week, a limit of 30 performances per week and minimum wages. Minimums are set at $50 weekly for principals and $40 for chorus, with $10 for principals and $7.50 for chorus, if employed on a per diem basis. Employers must pay $7.50 extra per week, plus expenses, to traveling shows.

Rehearsal pay is set as follows: Where two weeks work is guaranteed, the first rehearsal week requires no pay, the second and third, half pay, and full pay thereafter. For four weeks of guaranteed work, no pay is provided for the first two weeks of rehearsal, half pay for the third, fourth and fifth weeks, and full pay thereafter.

Dismissal notice of two weeks must

(Continued on page 7)

16 Films Here Each Year, Mayor's Hope

Mayor LaGuardia is hoping to get each of the eight majors to produce at least two feature films yearly in New York. His discussions with film financiers and motion picture company chieftains have been along these lines.

In substance, although not in as many words, the mayor has been advised by those with whom he discussed the plan that this cannot be done immediately.

He has been assured by certain film officials that before the picture companies can undertake to produce regularly in New York, New York's facilities for such production must be enlarged and improved and the companies must be assured that there is

(Continued on page 7)

U. S. Visions Loss Of Finnish Market

Loss of Finland as a market for American films is feared by home office foreign departments as a consequence of the Soviet invasion of that nation.

Estimates of the industry's revenue derived from the country are not obtainable due to the fact that some American distributors sell outright to Finnish agents, whereas others carry on their own distribution.

Foreign department executives are convinced that in the event the Soviet carries out a complete conquest and absorption of Finland the market will be closed thereafter to American films. However, if the Soviet stops with the seizure of desired military and naval bases in Finland, it is believed that the market would remain open, as it has in Esthonia, Latvia and Lithuania.

Threatened loss of the market, added to the loss of Italy, Czechoslovakia, Austria and Poland, gives considerable concern to foreign departments at this time.

Basic Pact Meeting Set at Atlantic City

Meeting between major company representatives and the four international unions which are signatories of the studio basic agreement has been transferred from Newark, where it was originally scheduled to be held, to Atlantic City. The session is scheduled Tuesday at the Ritz-Carlton Hotel there.

Pat Casey, producers' labor representative, left the Coast yesterday for New York. Business agents of the Hollywood locals of the International Brotherhood of Teamsters & Chauffeurs, I. B. of Carpenters & Joiners and the I. B. of Electrical Workers will leave the Coast today. The fourth international, the American Federation of Musicians, will be represented by Joseph N. Weber, president.

Schenck Six Hours Before Grand Jury

HOLLYWOOD, Nov. 30.—Joseph M. Schenck, chairman of the board of Twentieth Century-Fox, today spent six hours before the Federal Grand Jury as the investigation of charges of labor racketeering and income tax evasion in the film industry continued.

Charles H. Carr, assistant U. S. attorney general in charge of the inquiry, immediately after Schenck's testimony was completed, recalled to the stand J. B. Codd, Fox studio comptroller who testified some weeks ago.

NOW IN ITS 10th Record Breaking WEEK
at the WORLD THEATRE, in NEW YORK
The Longest Run Film Currently on B'way!
Held over 3rd WEEK in Baltimore
The Year's Sensation!
HARVEST
★ ★ ★ ★ —Daily News
Distributed by
FRENCH CINEMA CENTER Inc.
35 West 45th St. New York City

Purely Personal

JOHN W. HICKS, Paramount vice-president and foreign department head, is expected back from the Coast Monday.

•

W. RAY JOHNSTON, EDWARD A. GOLDEN, MAX A. COHEN, TOM CONNORS, JAMES R. GRAINGER, OWEN DAVIS, ARTHUR MAYER and J. EDMUND GRAINGER at Nick's Hunting Room in the Astor for lunch yesterday.

•

ROBERT WEITMAN, ALEC MOSS, AL JOLSON, SIDNEY PHILLIPS, LEE SHUBERT, ROBERT ALLEN, OTTO PREMINGER, IRVING CAESAR, PAT FLICK and JIMMY SAVO lunching at Sardi's yesterday.

•

WILLIAM F. RODGERS, M-G-M general sales manager, leaves Saturday for Charlotte where he will address the Theatre Owners of North and South Carolina on Sunday.

•

J. ROBERT RUBIN, A. LICHTMAN and SPYROS SKOURAS attended the opening of "Morning's at Seven" at the Longacre Theatre last night.

•

ERIC VON STROHEIM is due to arrive today on the *American Clipper*. He will spend a few days here before going on to the Coast.

•

SOL LESSER will be interviewed by DAVID LOWE on the latter's "Sound Track" program over WNEW at 12:15 this afternoon.

•

CHARLES MORLA, assistant to NORTON RITCHEY, head of Monogram's foreign department, is recuperating from a throat infection.

•

H. ALBAN MESTANZA, editor of *Teatro al Dia*, left last night for his country home at Malden-on-Hudson, for a few days.

•

RUTH SCHWERIN has joined SOL LESSER'S Eastern organization to do special publicity on his forthcoming productions.

•

JOHN J. FRIEDL of Minnesota Amusement Co., is here from Minneapolis for Paramount home office conferences.

•

JACK LEVEL of RKO's publicity department and MRS. LEVEL are celebrating their wedding anniversary today.

•

HORTENSE SCHORR, Columbia publicist, has been confined to her home with a cold for the past few days.

•

RENE BORGIA, film and publicity attache of the Venezuelan Embassy here, is seriously ill of pneumonia.

•

MOZELCITA STAPP, musical comedy and radio singer, leaves for Hollywood next week.

•

DAVID ROSE, Paramount British production head, is due Monday on the *Staatendam*.

•

WILL H. HAYS will leave the Coast today for New York.

•

MONTE PROSSER planed to the Coast last night.

Reopening of Coast Fair Is Undecided

San Francisco, Nov. 30.—No decision has been reached on next year's proposed reopening of the exposition, which closed while owing many bills. Most of the creditors favor reopening as the best means of affording the exposition a chance to pay its bills. These include $1,300,000 to Standard Oil Co. of California and Pacific Gas and Electric Co. A bankruptcy hearing is expected to determine the future fate of the Fair, and will be held in a few days. A $1,650,000 offer by Billy Rose, with the proviso he be given a free hand in running the Fair, is being held in abeyance.

Hearing Today Sets Date of Trust Trial

Federal Judge John C. Knox will hear the government's application today for an order fixing the date of trial of its New York anti-trust suit against the majors.

Cross-interrogatories prepared by all major defendants except United Artists and Columbia were served upon the government yesterday, Special Assistant Attorney General Paul Williams revealed.

It is understood that the interrogatories follow in similar lines to those filed some time ago by UA which asked for the names of government witnesses to alleged acts of conspiracy by film companies. It is believed that the interrogatories will be filed in court today.

ARTHUR LEONARD, vice-president of Lenwal Productions, left by plane yesterday for Dallas to discuss release plans with ALFRED N. SACK of Sack Amusement Enterprises.

•

LEONARD GOLDENSON, Paramount home office theatre executive, has been assigned the ninth floor executive offices formerly occupied by Y. FRANK FREEMAN.

•

MR. and MRS. DON AMECHE arrived from the Coast yesterday and will sail today on the *Santa Rosa* for a West Indies cruise.

•

C. A. PRATT, Republic Midwest salesman, accompanied by his wife, has left Des Moines for a six-week vacation trip to California.

•

LOUIS PHILLIPS, Paramount home office attorney, is expected back from the Coast this weekend after a month in Hollywood.

'Gulliver' in Spanish

In anticipation of a widespread demand for "Gulliver's Travels" in the Latin American market, Paramount is preparing a special version of the Max Fleischer feature length cartoon in Spanish. Luigi Luraschi, censorship editor for the company, was named supervisor on the Spanish version.

Witt Quits Standard

Peter Witt has resigned as advertising and publicity director for Standard Pictures Distributing Co.

Newsreel Parade

Queen Elizabeth's address to the women of England, virtually the only clip relative to the war in the issues, captures the spotlight. Army maneuvers in Georgia and the launching of a battleship in Italy are significant events included. The reels and their contents follow:

MOVIETONE NEWS, No. 24.—Army displays mechanized might. Jap air raid in China. German bomber burns in France. Japanese mountain explodes. Launch Italian battleship. Speed production of air planes here. Opera opening in New York. Red Cross nurses decorated in Italy. Queen Elizabeth at children's camp. Jap Emperor watches stick games. Dog show. Missouri vs. Kansas football.

NEWS OF THE DAY, No. 222—War maneuvers in Georgia. Stick games in Japan. Italian battleship launched. Elizabeth speaks at Buckingham Palace. Bowling. California horses in training. Swank opera opening.

PARAMOUNT NEWS, No. 27—Army war games in Georgia. New York children don stage costumes. Cincinnati children have holiday feast. Opera season opens. Elizabeth addresses women of England. Girl hockey game and girl football game.

RKO PATHE NEWS, No. 39—Army maneuvers at Fort Benning. Queen Elizabeth consoles British women. Air raid drill in Germany. Jewel show in New York. Rangers vs. Red Wings hockey.

UNIVERSAL NEWSREEL, No. 828—Queen Elizabeth in war time address. Royal Air Force in France. New battleship launched in Italy. Gold rush in Hollywood Bowl. Crochet speed race. Christmas toys on display in New York. Dog show in Chicago. Jewel show in New York. Army maneuvers.

Set 20th-Fox Dividend

The board of directors of 20th Century-Fox yesterday declared a dividend of 37½ cents per share for the fourth quarter of 1938 on the outstanding preferred stock, payable Dec. 20 to stockholders of record Dec. 11. No dividend was declared on the common stock.

Brandt Dinner Dec. 21

Through a typographical error, MOTION PICTURE DAILY yesterday stated that a testimonial dinner will be given for Harry Brandt on Dec. 31. The dinner is Dec. 21 at the Hotel Astor.

Acquire Baur Picture

World Pictures Corp. has acquired American distribution rights to "The Patriot," French film, starring Harry Baur. Maurice Tourner directed.

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IMAGINE!

21st day of
"Ninotchka" at
Radio City Music Hall
beat the record
opening day!

(*one of the biggest of the year!*)



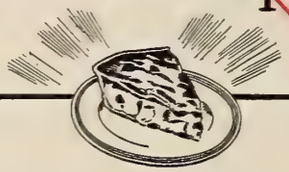
"DON'T PRONOUNCE IT—

HOLD IT OVER!"



GREATER GARBO!

. . . as American as apple pie!



THE HARDY FAMILY, the whole kit and kaboodle of them, have moved in next door to practically everybody in this country—and established themselves in our hearts as the most human, pesky, yet altogether pleasant pack of neighbors anybody ever had.

Ever since Mickey Rooney first went to Lewis Stone for a little confidential, man to man advice... ever since Fay Holden first tried to plaster Mickey's cowlick down, or take some of the shine off his blue serge suit... we've all had a swell time peeking at our new neighbors, the Hardys, through the window-shades, spying out what they're having for dinner, who they're going out with, eavesdropping on their family quarrels and poking our noses into their business in the good old gossipy American way. Too bad Mark Twain never lived to see an Andy Hardy picture.

You can't help liking a real human kid who takes to "swing" as naturally and honestly as he takes to the measles . . . and pulls through both with no ill effects. You can't help liking a family that meets each new crisis with fortitude and real down-to-earth humor . . . whether it's a new girl-friend for Andy, a new dilemma for the Judge or just another squabble about who'll do the dishes.

There's something solid about the Hardy family. "Judge Hardy & Son" is their newest and best adventure. It's mighty well worth seeing! Watch for it at your favorite theatre!





Metro-Goldwyn-Mayer Presents

JUDGE HARDY & SON

with

LEWIS STONE · MICKEY ROONEY
CECILIA PARKER · FAY HOLDEN

Original Story and Screen Play by Carey Wilson
Directed by George B. Seitz

WATCH FOR THIS FULL PAGE MAGAZINE AD!

It will appear on December 20th in SATURDAY EVENING POST and December 22nd in LIFE and COLLIER's. It tells Mr. and Mrs. America and Family what's in our hearts. We're proud of the Hardys. We sincerely believe their latest picture is their very best! A perfect holiday attraction.



A MERRY CHRISTMAS MAGAZINE CAMPAIGN FOR THE GLORIOUS NEW HARDY PICTURE!

WE'RE TELLING 27,985,612 TICKET BUYERS ABOUT IT IN FULL PAGE ADS! ISN'T THAT A NICE WAY TO SAY "MERRY CHRISTMAS, MR. EXHIBITOR!"

MOTION PICTURE DAILY'S BOOKING CHART

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Oct. 27	Beware Spooks *Joe E. Brown* *Mary Carlisle*	Bad Little Angel *Virginia Weidler*	Danger Flight Overland Mail *Jack Randall*	Disputed Passage *Dorothy Lamour* *Akim Tamiroff*	Jeepers Creepers *Weaver Bros. & Elviry*	Sued for Libel *Kent Taylor* *Linda Hayes*	20,000 Men a Year *Randolph Scott* The First World War	Housekeeper's Daughter *Joan Bennett* *Adolphe Menjou*	Little Accident *Baby Sandy*	The Roaring Twenties *James Cagney* *Priscilla Lane*
Nov. 3	The Stranger from Texas	Ninotchka *Greta Garbo* *Melvyn Douglas*	Heroes in Blue *Dick Purcell* Fighting Mad *James Newill*	Law of the Pampas *William Boyd* *Russell Hayden*	Main Street Lawyer *Edward Ellis* *Anita Louise*	Flying Deuces *Laurel & Hardy* Marshal of Mesa City *George O'Brien*	Heaven with Barbed Wire Fence *Jean Rogers*		Call a Messenger The Road Back Legion of Lost Flyers *Richard Arlen*	Kid Nightingale *John Payne* *Jane Wyman*
Nov. 10	Blondie Brings Up Baby *Penny Singleton*	Remember? *Robert Taylor* *Greer Garson*	The Phantom Strikes *Wilfred Lawson* Raiders Over England	Cat and the Canary *Bob Hope* *Paulette Goddard*	Rovin' Tumbleweeds *Gene Autry* The Covered Trailer *Gleason Family*	Allegheny Uprising *John Wayne* *Claire Trevor*	Drums Along the Mohawk *Henry Fonda* *Claudette Colbert*		First Love *Deanna Durbin* One Hour to Live *Doris Nolan*	Private Lives of Elizabeth and Essex *Bette Davis* *Errol Flynn*
Nov. 17		Another Thin Man *William Powell* *Myrna Loy*		Rulers of the Sea *Douglas Fairbanks, Jr.*	Saga of Death Valley *Roy Rogers*	Meet Dr. Christian *Jean Hersholt*	Too Busy to Work *Jones Family*		Tower of London *Basil Rathbone*	Dead End Kids on Dress Parade
Nov. 24	The Amazing Mr. Williams *Joan Blondell* *Melvyn Douglas*	Secret of Dr. Kildare *Lew Ayres* *Lionel Barrymore*	Roll, Wagons, Roll *Tex Ritter*	Our Neighbors, the Carters *Frank Craven* *Fay Bainter*		That's Right, You're Wrong *Kay Kyser* *Adolph Menjou*	Day-Time Wife *Tyrone Power* *Linda Darnell*		The Big Guy *Victor McLaglen* *Jackie Cooper*	We Are Not Alone *Paul Muni* *Jane Bryan* *Flora Robson*
Dec. 1	I Married Adventure *Osa Johnson* Cafe Hostess *Preston Foster* *Ann Dvorak*	A Call on the President *Ann Sothern* *Louis Stone*	Gentleman from Arizona *Craig Reynolds* Yukon Flight *James Newill*	Night of Nights *Pat O'Brien* *Olympe Bradna*	Cowboys from Texas *The Three Mesquiteers* *Carol Landis*	Reno *Richard Dix* *Gail Patrick*	City in Darkness *Sidney Toler* Inspector Hornleigh on Holiday		Laugh It Off *Johnny Downs* *Constance Moore*	Return of Dr. X *Humphrey Bogart* *Rosemary Lane*
Dec. 8	Fugitive at Large *Jack Holt* Taming of the West *Bill Elliott*	Henry Goes Arizona *Frank Morgan* *Virginia Weidler*	West of the Divide *John Wayne* Lucky Texan *John Wayne*	Llano Kid *Tito Guizar* *Gale Sondergaard*		Two Thoroughbreds *Jimmie Lydon* *Joan Brodel*	Barricade *Alice Faye* *Warner Baxter*		Man from Montreal *Richard Arlen* *Andy Devine*	Private Detective *Jane Wyman* *Dick Foran*
Dec. 15		Nick Carter—Master Detective *Walter Pidgeon* *Rita Johnson*	Four Just Men *Frank Lawton* Pioneer Days *Jack Randall*	All Women Have Secrets *Virginia Dale* *Joseph Allen, Jr.*	South of the Border *Gene Autry* *June Storey*		The Honeymoon's Over *Stuart Erwin* *Marjorie Weaver*		Missing Evidence *Preston Foster* *Irene Hervey*	The Mad Empress *Medea Novara* *Lionel Atwill*
Dec. 22	His Girl Friday *Cary Grant* *Rosalind Russell*	Judge Hardy & Son *Mickey Rooney* *Lewis Stone*	Westbound Stage *Tex Ritter*	Gulliver's Travels *Lanny Ross* *Jessica Dragonette*	Money to Burn *Higgins Family*	Married and in Love *Barbara Read* *Alan Marshall*	Everything Happens at Night *Sonja Henie*	Send Another Coffin *Ruth Terry* *Pat O'Brien*	Charlie McCarthy, Detective *Edgar Bergen*	Four Wives *Lane Sisters* *Gale Paige*
Dec. 29		Balalaika *Nelson Eddy* *Ilona Massey*		The Great Victor Herbert *Walter Connolly* *Mary Martin*	Days of Jesse James *Roy Rogers* Woman Who Dared *Charles Bickford*	Hunchback of Notre Dame *Charles Laughton* Legion of the Lawless *George O'Brien*	The Cisco Kid *Cesar Romero* *Marjorie Weaver*	Rebecca *Lawrence Olivier* *Joan Fontaine* *Judith Anderson*	Destry Rides Again *Marlene Dietrich* *James Stewar*	



Theatres Get Terms of Vaudeville Union

(Continued from page 1)

be given on steady employment, wardrobes must be supplied, workmen's compensation must be carried and dues must be deducted from the pay, and given directly to the union. Unpaid auditions, where the public is invited, are prohibited.

Circuit heads believe that they will be unable to meet the union demands. It was pointed out that shows are frequently hired as a unit, particularly name bands, and that the latter are independent contractors over whom the theatre operator has no control.

Another problem arises if a musician, who is a member of the Musicians Union, does a specialty on the stage. Whether circuits can sign contracts for all theatres, particularly where there is a diversity of ownership in the various theatres, is another problem.

16 Films Here Each Year, Mayor's Hope

(Continued from page 1)

a sufficient supply of labor and technical help, besides peaceful labor conditions.

Among those with whom the mayor has discussed his plan is Floyd B. Odlum, head of Atlas Corp., and one of the principal owners of RKO.

Success of the George Jessel-Ben Hecht idea to produce one picture in New York is dependent upon the procurement of a producer and financing. Hecht and Jessel want to create their own independent producing firm if somebody will finance them.

'Bali' Gets $5,800 In Oklahoma City

OKLAHOMA CITY, Nov. 30. — "Honeymoon in Bali" scored $5,800 to lead grosses here. "Drums Along the Mohawk" took $2,200 in the second week at the Tower.

Estimated takings for the week ending Nov. 23:

"First Love" (Univ.)
CRITERION—(1,500) (25c-35c-40c) 6 days. Gross: $4,300. (Average, 7 days, $4,500)
"Little Accident" (Univ.)
"The Fighting Gringo" (Univ.)
LIBERTY—(1,200) (15c-20c-25c) 6 days. Gross: $2,500. (Average, 7 days, $2,400)
"Honeymoon in Bali" (Para.)
MIDWEST—(1,500) (25c-35c-40c) 7 days. Gross: $5,800. (Average, $3,250)
"Fifth Avenue Girl" (RKO)
PLAZA—(750) (25c-35c-40c) 7 days. Gross: $1,300. (Average, $1,100)
"Jeepers Creepers" (Col.)
STATE — (1,100) (25c-35c-40c) 7 days. Gross: $2,600. (Average, $3,000)
"Drums Along the Mohawk" (20th-Fox)
TOWER—(1,000) (25c-35c-40c) 7 days, 2nd week. Gross: $2,200. (Average, $1,750)

Publicizing French Film

Evelyn Gerstein has been appointed director of publicity for the French film, "Entente Cordiale," based on "The Life of Edward VII," by Andre Maurois, which will have its American premiere at the 55th Street Playhouse and the Fifth Avenue Playhouse on Christmas Day.

Rites for Mrs. Riley

Funeral services will be held tomorrow morning at Riverhead, L. I., for Mrs. Minnie E. V. Riley, 64, widow of Robert E. Riley, one of the first movie theatre operators in Suffolk county.

'The Great Victor Herbert'

[Paramount]

(Continued from page 1)

seems to fairly warm the screen are LeRoy Printz, who staged the musical numbers in a manner to have made the late Victor Herbert proud, and Arthur Kay, who directed the orchestra much as the composer might have wanted him to direct it. Technologically, from the splendid photography of Victor Milner to the splendid settings furnished by art director Hans Dreier, the production ranks high among the ranking musicals of all time.

Allan Jones is the standout among the players, singing and acting the part of an actor singing and acting Victor Herbert operettas in a manner and with a proficiency surpassing all of his previous performances. Striding along with him in the feminine lead and as a veteran is the much publicized Mary Martin, who proves, both as actress and vocalist, well entitled to the publicity she's earned. Walter Connolly's portrayal of the title character is a competent and convincing demonstration of his acknowledged talent. And for word-of-mouth publicity sure to mean much to the picture and exhibitors who play it there is a practically incredible vocal performance by the 14-year-old Susanna Foster, a thing that must be heard to be appreciated.

The story is about a singing star employed by the great composer, the girl he marries and whose fame ultimately eclipses his, their drifting apart by reason of this and their reunion brought about by a daughter who eclipses both their achievements. The narrative spans 14 years, the most notable period of the Herbert activity, and the score includes the world-popular compositions brought out during that time.

Running time, 85 minutes. "G."* ROSCOE WILLIAMS.

*"G" denotes general classification.

Ampa to Have Neely Bill Meeting Dec. 14

C. C. Pettijohn, general counsel of the Hays office, and David Palfreyman, chairman of the organization's theatre relations committee, will discuss the Neely anti-block booking bill at the next Ampa meeting, Dec. 14. This will be Palfreyman's first public address.

Abe Montague, general sales manager of Columbia, has also been invited to speak on the subject. The bill, which has passed the Senate, is scheduled to be considered by Congress in the winter session.

A change in the Ampa meeting place from Stouffer's restaurant was discussed at a meeting yesterday.

Pathe Laboratories Suit Names Du Pont

Claiming that it had been compelled to pay $210,000 for raw film in excess of a stipulated contract price, Pathe Laboratories, Inc., filed suit yesterday in U. S. District Court against the Du Pont Film Manufacturing Corp.

Suit is based on an alleged contract made in 1925 between Pathe Exchange, Inc., and the defendant which gave Pathe the right to buy all its raw stock requirements at 30 per cent over the manufacturing cost. The contract was to be for a period of five years.

Rites Held for Robson

TORONTO, Nov. 30.—Funeral services were held here for Frank G. Robson, a manager for Famous Players Canadian for 16 years, most recently handling the Orpheum at Fort William, Ont.

Close G.N. Omaha Office

DES MOINES, Nov. 30.—Lou Levy, manager of the Grand National exchange, has closed the Omaha office and that territory will be covered from the local exchange.

Exhibitors Against Neely Bill—Brandt

KANSAS CITY, Nov. 30.—Harry Brandt, president of the New York I. T. O. A. conferred with exhibitor representatives here this week on his swing around the country to sound out exhibitor opinion on industry problems.

"It seems to me exhibitors themselves are against the Neely bill, but in some cases the organization leaders are for it," Brandt said. "The leaders of Allied seem pledged to support the bill.

"There is a unanimity of opinion in Kansas City against the Neely measure, against film players on the air and for arbitration of trade disputes."

Brandt indicated that exhibitors here have promised him cooperation in working out his program.

I.A.T.S.E. Is Sued On Local 37 Claims

HOLLYWOOD, Nov. 30.—The I. A. T. S. E. account in the Hollywood State Bank was attached yesterday in a Superior Court suit for $18,213 filed by Ninette Nieburger, assignee for several persons involved in the fight of former Local 37 officers against I. A. officers.

Naming the I. A. and the newly created Locals 44, 87, 728 and 165 as defendants, the assignee is suing in behalf of Joseph W. Carpenter, Howard Hurd, attorney; Pete Ladjimi, Bertha Zinn and Ethlyn Firke, who claim that money is due them. The expenses are claimed to have occurred before Local 37 was taken over by the I. A. and subsequently dissolved.

Leichter Closes Deal

Mitchell Leichter has closed a deal with Principal Pictures for distribution in New York and New Jersey of "She Goes to War" and "Hell's Harbor," which Leichter is handling nationally.

Short Subject Reviews

"A Wicky Wacky Romance"

(Terry-20th Century-Fox)

This Terry Toon is set in the South Sea Islands with an athletic young mouse, a la Tarzan, and his hula hula dancers, leading a quiet life until a pirate ship, manned by buccaneering cats, arrives on the scene. The pirates capture one of the dancers and the hero goes to the rescue. Done in color, this cartoon is considerably above average. Running time, 7 mins.

"The Silly Season"

(20th Century-Fox)

Publicity stunts are collected in this issue of Lew Lehr's "Dribble Puss Parade." They consist principally of bathing girls and beauty contests. Lehr provides a witty commentary and the reel should provide plenty of laughs. Running time, 10 mins.

"The Valley of 10,000 Smokes"

(20th Century-Fox)

Father Hubbard, "The Glacier Priest," explores the steaming valley which was once the scene of a volcanic eruption. Scenes showing the party traveling through quicksand make a powerful sequence, as do the pictures of the trees in the de-hydrated forest. Excitingly told, this exploration becomes a photographic adventure. Running time, 10 mins.

$50,000 Blaze Hits Theatre and Stores

CARLISLE, Pa., Nov. 30.—Flames swept the business section of Carlisle today and did $50,000 damage. The Orpheum theatre, with the Peerless food stores, suffered the heaviest loss. The Orpheum, a four-story house, had not been used as a theatre for three months. It is owned by the Comerford Amusement Company which opened the new Comerford theatre here last Summer.

Sommerer Heading RCA Manufacturing

Harry L. Sommerer has been appointed manager of manufacturing for the plants of the RCA Manufacturing Co. at Camden and Harrison, N. J.

Sommerer, who has been with the company for 30 years, formerly was assistant to the executive vice-president, Robert Shannon. His headquarters will continue to be at Camden.

Osa Johnson Here

Osa Johnson, widow of Martin Johnson, is here to confer with Columbia executives on "I Married Adventure," which she is making for the company on the Coast, and to film New York scenes at the American Museum of Natural History. She is accompanied by Clark H. Getts, business manager, and Mark Larkin, her publicity manager. They will return to Hollywood next week.

Prices Unchanged In Three Situations

Admission prices remain unmolested in the Albany, Buffalo and Toronto territories with exhibitors showing no desire to raise or lower them.

Following are detailed accounts of the situation in those areas:

ALBANY, Nov. 30.—No changes in price scales have been made within the past year, nor are any likely in the near future in the 200 theatres from here to Utica, State of Vermont and to the Canadian border. First run admission scale has been pegged at 40 cents in the larger cities, such as Albany, Troy, Schenectady and Utica.

Reason for the 40-cent top standstill, circuit and independent exhibitors say, is due to spotty business in the past two years.

Toronto Price Average At All Houses 25 Cents

TORONTO, Nov. 30.—Theatre prices have not changed here and the exhibitors appear to have adopted an attitude of watchful waiting in the matter of price fluctuations.

The average of all theatre admission prices for all theatres in the City of Toronto, with its 108 houses, is 25.2 cents and, according to trade figures, this is exactly .1 per cent higher than it was for the previous year.

For the whole of Ontario the average increase in the price of all theatre admissions for the past three years has been approximately one cent but the reason for this has been the opening of a number of new and better theatres where the price scale has given a boost to the general average. For the whole of Canada the average admission price was 24.4 cents in 1938, compared with 23.2 cents in 1936.

No Buffalo Change Is Anticipated Now

BUFFALO, Nov. 30.—Admissions here remain the same and there are no indications of a tendency to fluctuate.

Admission prices at the Twentieth Century are raised five or 10 cents whenever that house plays a stage show in conjunction with the regular picture bill.

Grand Jury Urges Bingo—For Charity

Legalization of Bingo, provided it is played for charity, was recommended in a presentation made by the Queens Grand Jury to Judge Charles S. Colden in Long Island City yesterday.

The jurors declared that Bingo, under the present laws, "undoubtedly is a violation." But when it results in revenue for hospitals, churches and other worthy nonprofit organizations, it should be made legal. Copies of the findings will be sent to Gov. Herbert H. Lehman and other state officials.

Rhoden on C. of C. Board

KANSAS CITY, Nov. 30.—Elmer C. Rhoden, head of Fox Midwest Theatres, Inc., has been elected to the directorate of the Chamber of Commerce here.

$20,000 Cleveland Lead for 'Troubles'

CLEVELAND, Nov. 30.—"Pack Up Your Troubles" at the RKO Palace, aided by the "Folies Bergere" on the stage, grossed $20,000.

Estimated takings for the week ending Nov. 23:

"Meet Dr. Christian" (RKO)
ALLEN—(3,000) (30c-35c-42c) 7 days. Gross: $3,500. (Average, $4,000)
"Drums Along the Mohawk" (20th-Fox)
WARNER'S HIPPODROME — (3,800) (30c-35c-42c) 7 days, 2nd week. Gross: $11,000. (Average, $11,000)
"Pack Up Your Troubles" (20th-Fox)
RKO PALACE—(3,100) (30c-42c-55c) 7 days. "Folies Bergere" on stage. Gross: $20,000. (Average, $14,000)
"Disputed Passage" (Para.)
LOEW'S STATE—(3,500) (30c-35c-42c) 7 days. Gross: $12,000. (Average, $11,000)
"Dancing Co-Ed" (M-G-M)
LOEW'S STILLMAN—(1,900) (30c-35c-42c) 7 days. Gross: $4,500. (Average, $4,000)

Canada War Film Ready

TORONTO, Nov. 30.—A hint as to the immediate plans of the National Film Board has been revealed by John Grierson, newly appointed Dominion Film Commissioner, declaring that a section of a British war propaganda film, shortly to be released, will deal with Canada's contribution to the war while preparations are under way for the making of a separate release depicting fully Canada's participation in the war.

Team Lupe Velez, Erroll

HOLLYWOOD, Nov. 30.—RKO has decided to make three more pictures with Lupe Velez and Leon Erroll, using the same characterizations as in "Mexican Spitfire," as a result of audience reaction at sneak previews.

'That's Right' Denver Lead With $11,000

DENVER, Nov. 30.—The Orpheum, with "That's Right, You're Wrong" packed them in for $14,000. "Day-Time Wife" took $11,000 at the D[illegible]-ver in a week of generally good b[illegible]-ness.

Estimated takings for the week ending Nov. 29:

"First Love" (Univ.)
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $4,000. (Average, $3,500)
"Remember" (M-G-M)
"Three Sons" (RKO)
BROADWAY—(1,040) (25c-35c-40c) 7 days, 2nd week. Gross: $2,500. (Average, $2,500)
"The Cat and the Canary" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days, 2nd week. Gross: $7,100. (Average, $6,500)
"Day-Time Wife" (20th-Fox)
DENVER—(2,525) (25c-35c-40c) 7 days. Gross: $11,000. (Average, $9,000)
"That's Right, You're Wrong" (RKO)
"Fast and Furious" (M-G-M)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $14,000. (Average, $9,000)
"Rio" (Univ.)
"Two Bright Boys" (Univ.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,000. (Average, $3,500)
"Drums Along the Mohawk" (20th-Fox)
"Too Busy to Work" (20th-Fox)
RIALTO—(878) (25c-40c) 7 days. "Drums" 3rd week. Gross: $2,000. (Average, $1,750)

Sues Ruth Selwyn

Otto L. Preminger filed suit yesterday in N. Y. Supreme Court against Ruth Selwyn for $7,830 damages for the alleged breach of a contract which employed the plaintiff to direct the play, "The King With The Umbrella."

It is two years today since I joined the Warner Brothers' organization.

This is an expression of sincere thanks to my co-workers for an association that continues to be most pleasant.

Mark Hellinger

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 108 NEW YORK, U. S. A., MONDAY, DECEMBER 4, 1939 TEN CENTS

Higher Prices Rule on 'Wind' For Full Year

New York, 3 Other Cities Report Ticket Sellouts

" 'Gone With the Wind' will not be shown anywhere except at advanced admission prices until 1941.".

This announcement will be carried in all advertisements on the Metro-Goldwyn-Mayer picture, Howard Dietz, director of advertising and publicity of Loew's, Inc., stated over the weekend.

The sale of tickets for the dual opening of the picture, Dec. 19, at the Astor and Capitol theatres here, exceeded expectations. Two hours after the seats were put on sale, they were all sold. According to Dietz, similar conditions occurred at Atlanta, Boston and Reading, Pa.

This unusual demand for seats forced the theatre managements to sell tickets beyond the four-week advance which was originally planned.

Over the weekend, it was reported that the Christmas Eve and New Year's Eve performances were all sold out, too.

In Atlanta, where the world premiere will be held at Loew's Grand Dec. 15, reserved seat tickets have been sold out for a month, said Dietz.

In New York, late Friday afternoon, sales already had more than tripled that of "The Great Ziegfeld," previous record holder, for a similar period.

Ticket brokers' reaction to the two-

(*Continued on page 2*)

Fox West Case Goes Before Court Today

Los Angeles, Dec. 3.—Arguments on a motion of defendants for a bill of particulars in the Federal government's action against Fox West Coast and major distributors, charged with violating the anti-trust law's consent decree, is scheduled tomorrow in Federal Court here.

Postponement of debate is considered likely, according to Assistant U. S. Attorney General Albert J. Law, because of a crowded court calendar.

Montreal Theatre Executive Seized

Montreal, Dec. 3.—Provincial police today were questioning Charles E. Kibbey, Consolidated Theatres accountant missing since Nov. 25, who was found by officers when they made a routine visit to his home Friday. He is being held on theft and forgery charges.

Normal Hours Back In English Theatres

London, Dec. 3.—All film houses in England returned to normal operating hours late last week. The West End houses, however, have arranged to stagger the screening times of the final features on the program.

25% Pay Hike Plea By Exchange Union

Wage increase of about 25 per cent is expected to be asked by negotiators for the Film Exchange Employes Union when meetings with the distributors get under way here Thursday. The union, representing major exchanges in 31 exchange centers, will negotiate for about 3,500 members.

Seven members comprising the union's committee with a representative of the I.A.T.S.E., either Dick Walsh or Lou Krouse, will start a two-day meeting here tomorrow to formulate demands. The initial agreement negotiated two years ago provided for wage increases up to about 50 per cent for employes in the lower wage brackets.

The negotiations are expected to take several weeks. The first session with the distributors will be a preliminary one and will be devoted to discussing complaints and adjustments, it is expected.

The 300 members of New York Local B-51, Film Exchange Employes Union, are voting to today in the third annual election of the local's officers.

Lou Johnson, president, and Lew Braun, vice-president, have no opposition for reelection. There is a contest for other posts.

Drama Guild Pact Draws An Attack By Theatre League

The new Dramatists Guild pact, adopted by the Guild last month to permit film companies which back legitimate stage productions to purchase film rights in advance, is "not practical and also inoperable," in the unanimous opinion of 12 members of the League of New York Theatres who attended the League's membership meeting Friday. No formal action was taken, however, because a quorum was not present.

It was pointed out that the League as such is not a party to the basic agreement with the Guild. Instead, each producer and individual corporations which produced plays in the past six years are signatories to the pact. Those present Friday indicated that they would refuse to accept the amendments.

There are more than 400 signatories, and amendments must be approved by a vote of two-thirds of those attending a meeting called by the Guild after 10 days' notice. Guild officials stated that they would confer with League officials before calling such a meeting. If the League insists on any major changes, the entire plan may be dropped, Guild officials indicated.

AGVA Plans Drive On Broadway First

American Guild of Variety Artists will center its first drive for contracts around Broadway film houses and will seek conferences with them on an individual basis, Dorothy Bryant, A.G.V.A. executive secretary declared over the weekend.

Mrs. Bryant stressed the fact that

(*Continued on page 7*)

Trust Queries Revised; Trial Plans Speeded

Knox Wants Date Settled By December 15

Major company defendants in the Government's New York anti-trust suit estimate that they may be able to answer the shorter and completely revised list of questions in the Government's interrogatories by Feb. 1 or March 1, thereby indicating a possibility that trial of the suit may be set to start late next Spring.

At a hearing before Federal Judge John C. Knox on Friday, company attorneys agreed to confer with Paul Williams, special assistant to the U. S. Attorney General, and William P. Farnsworth, special counsel for the Government, about Dec. 10 in an effort to agree on a trial date.

They will report back to Judge Knox on Dec. 15 and if no agreement has been reached by then the court will set a date after hearing arguments by both sides.

Following Friday's hearing, Williams said that the Government would be ready for trial in February, provided the defendants have completed their answers to the Government's revised interrogatories by then. Williams predicted that the trial will start before Summer, barring "unusual and unforeseen circumstances."

In order to shorten the trial, he said, the Government is considering an application for a pre-trial on preliminary issues.

It was revealed on Friday that the

(*Continued on page 7*)

'Gulliver' Given 41 Pre-Release Dates

"Gulliver's Travels," the Max Fleischer feature-length color cartoon, has been dated into 41 theatres throughout the country for pre-release engagements during Christmas week, Neil Agnew, vice-president of Paramount in charge of distribution, reported Saturday following his return to New York from the Coast.

Agnew said that Paramount had received more than 300 requests for Christmas bookings of the picture and that, due to the inability of Technicolor to deliver a sufficient number of prints by that time, bookings had to be allocated on the basis of assured extended playing time and geographical location of theatres.

It is understood that all of the initial pre-release engagements have

(*Continued on page 2*)

Theatre Business Spotty, Survey of Grosses Shows

Theatre business around the country, on the whole, is spotty, according to an inquiry made by Motion Picture Daily. Grosses are up in some sections of the country, but in others the box-offices show a decline, while some are holding even.

Grosses are reported up generally in most cities in New York State. Buffalo lately has been experiencing a boom. Grosses are reported "decidedly on upgrade" in New Orleans" and a strong improvement has also been noted in the San Francisco area.

A seasonal upturn is reported in North and South Carolina. Philadelphia exhibitors say business is better downtown, with the neighborhoods continuing even. There has been no increase in Indianapolis and Cincinnati areas. In Milwaukee business is spotty. In upstate New York, Utica reports business off weekdays because of games competition, while in the Albany area grosses are up in the cities but lagging in the rural sections. Business has been bad in the San Antonio area, but expectations are for improvement.

In Canada, where the war has had

(*Continued on page 6*)

'Gulliver' Given 41 Pre-Release Dates

(Continued from page 1)

guaranteed Paramount a minimum of two weeks playing time for the picture with options for holdovers.

In addition to the 41 Christmas week openings, additional prints will be available during New Year's week for 40 other bookings, it was said.

"Gulliver's Travels" will have its world premiere at the Sheridan, Miami Beach, on Dec. 18. Bookings thereafter are as follows:

Dec. 20.—Paramount, New York; Newman, Kansas City; Dec. 21—Paramount, Los Angeles; Paramount, San Francisco; Dec. 22—Denham, Denver; Michigan, Detroit; Paramount, Seattle; Palace, Milwaukee; Majestic, Houston; Alabama, Birmingham.

Dec. 23—Uptown, Toronto; Stanley, Philadelphia; Palace, Rochester; Keith's, Syracuse; Penn, Pittsburgh; State, Cleveland; Great Lakes, Buffalo; Fox, Atlanta; Saenger, New Orleans; Malco, Memphis; Majestic, San Antonio.

Dec. 24.—Strand, Providence; Dec. 25—Paramount, Miami; Colony, Miami Beach; Dec. 28—Metropolitan, Boston; Allyn, Hartford; Fox, Spokane; Des Moines and Roosevelt, Des Moines; State, Portland, Me.

Dec. 29—Paramount, Springfield; Paramount, New Haven; Capitol, Worcester; Rialto, Tacoma; Lyceum, Duluth; Criterion, Oklahoma City; Strand, Scranton; Comerford, Wilkes Barre; Dec. 31—Capitol, Little Rock.

Insurance Firms, Agency Are Sued

Morris H. Siegel and Sam M. Siegel, who operate as the Policyholders' Advisory Council, filed suit for $750,000 damages in the N. Y. Supreme Court Friday against Metropolitan Life Insurance Co., Prudential Life Insurance Co., Young & Rubicam, the agency, Edwin C. Hill and others. The plaintiffs alleged that the defendants "conspired" to drive them off the air.

Assistant Managers Meet

Weekly meetings of the assistant managers of Loew's New York theatres were resumed Friday. Exploitation and publicity on forthcoming films are discussed at the meetings.

Albany Warner Frolic

ALBANY, Dec. 3.—The annual banquet and movie ball of the local Warner Club will be held Saturday evening at the Hendrick Hudson Hotel in Troy.

STOP SHOWING SCRATCHED FILMS

Don't be deceived because you don't notice the scratches. Others do! Scratches are the result of normal usage. Scratched film means shabby screenings.

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abrasions and rain from 16 mm and 35 mm film. The cost is nominal. Keep your prints like new by sending them to us for rejuvenation—

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Purely Personal

JOSEPH P. KENNEDY, U. S. ambassador to the Court of St. James, arrives from Europe tomorrow by *Clipper*.

•

LEONARD GOLDENSON and LEON NETTER, Paramount home office theatre executives, are scheduled to leave for Detroit within the next few days.

•

WALTER STUART, manager of the Community theatre at North Attleboro, Mass., is the father of a boy, WALTER ALLEN, born to Mrs. Stuart late last week.

•

JEAN HERSHOLT arrived from the Coast yesterday accompanied by MRS. HERSHOLT and ROSEMARY DECAMP, featured on the actor's radio program.

•

HAL HORNE, Eastern manager for Walt Disney Productions will leave for the Coast at the end of the week for conferences at the Disney studio.

•

EARLE W. HAMMONS, Educational-Grand National president, celebrated a double anniversary on Saturday—his birthday and wedding.

•

HERBERT J. YATES plans to remain at the Republic studio until shortly before Christmas, when he will return here.

•

BRENDA FORBES, having finished an assignment at RKO, arrived in New York yesterday to start rehearsals for a stage play.

•

A. J. HERMAN, Eastern district manager for Universal, was in Philadelphia over the week-end on business.

•

E. G. VALLEN, president, Vallen, Inc., returned to Akron over the week-end after a business visit here.

•

S. ERNEST PELSON is no longer connected with the French Cinema Center, Inc.

•

J. CHEEVER COWDIN, Universal board chairman, is expected back from the Coast by plane today.

•

H. O. BRIGGS, president of Pathe Film, left for the Coast over the week-end.

•

ARTHUR FREED, M-G-M producer, remains here a week.

•

AL LICHTMAN returned to the Coast by air Saturday morning.

•

Today is MURRAY SILVERSTONE'S birthday.

Johnston to Premiere

W. Ray Johnston, Monogram president, will leave for Phoenix on Wednesday by plane to attend the premiere there of "The Man from Arizona." He will go on to the Coast from there, returning to New York shortly before Christmas.

Closes with Guaranteed

Mitchell Leichter has closed a deal for foreign and Canadian distribution of "She Goes to War" with Guaranteed Pictures.

Carolina Owners In Session Today

CHARLOTTE, N. C., Dec. 3.—Addresses by Ed Kuykendall, president of the M.P.T.O.A., and William F. Rodgers, general sales manager of M-G-M, tomorrow will feature the 27th annual convention of the Theatre Owners of North and South Carolina at the Hotel Charlotte here.

Today's opening session was devoted to registration and an informal get-together, followed by a meeting of the board of directors this evening. The meeting tomorrow will be called to order by Lyle M. Wilson, president, followed by an address of welcome by Mayor Ben Douglas of Charlotte. Committee appointments will be followed by the addresses of Kuykendall and Rodgers.

The afternoon meeting will be a closed session for exhibitors, during which exhibitor problems will be discussed, committees will report and officers will be elected. Tomorrow night the convention will conclude with the annual banquet and ball, at which H. E. Buchanan will be toastmaster.

Coast Grand Jurors Hear Schenck Aids

HOLLYWOOD, Dec. 3.—The Federal Grand Jury Friday temporarily wound up its investigation of alleged labor racketeering and income tax evasions in the film industry by calling Lou Anger, theatre operator and associate of Joseph M. Schenck, and Ruth Nolander, private secretary for the Century-Fox head.

Charles H. Carr, assistant U. S. Attorney General in charge of the probe, declared he had no more witnesses to call at this time, but may have later. The next regular session of the grand jurors is scheduled on Wednesday.

Buck Toastmaster At Herbert Dinner

Gene Buck, Ascap president, who was an intimate friend of the late Victor Herbert, will preside as toastmaster at the dinner being given by Paramount at Luchow's tomorrow evening in connection with the company's new production, "The Great Victor Herbert."

Mrs. Ella Herbert Bartlett, daughter of the composer, will be a guest of honor with Mary Martin, Allan Jones and Walter Connolly.

Loew-Metro Frolic For 1,000 on Dec. 22

Nicholas M. Schenck, president of Loew's, Inc., and the company will be hosts to nearly 1,000 employees, executives and department heads of the home office and the M-G-M exchange at a Christmas luncheon in the ballroom of the Hotel Astor on Friday, Dec. 22. Employes will be given a half holiday that day.

Quits Eastern Service

Charles L. Glett has resigned as vice-president of Eastern Service Studios and Audio Productions, Inc., it was announced Friday by Frank K. Speidell, president. Glett had been in charge of studio operations. He plans to devote his time to the development of major independent production units.

Higher Prices Rule on 'Wind' For Full Year

(Continued from page 1)

theatre showing here is "surprisingly satisfactory," Dietz reported. They believe the policy is in the right proportion as between the reserved [illegible] showing at the Astor and the unreserved at the Capitol. Brokers, Dietz said, believe that the demand for "Gone With the Wind" seats will be unprecedented.

This is the first picture pre-sold to audiences, and the newspaper advertising campaign therefore will be devoted to announcement of policy. Dietz believes the public does not need to be sold on the picture.

First New York advertising appeared Friday in a full page in the *News*, with commensurate copy in the *Times*.

Lou Anger Resigns Producers' Post

HOLLYWOOD, Dec. 3.—Called ostensibly for a review of the foreign situation by Will H. Hays, the meeting of motion picture producers Friday accepted the resignation of Lou Anger, United Artists theatre partner of Joseph Schenck as the producers' representative on the standing committee governing the Actors Guild code for extras. William Holman, former Columbia studio manager, accepted the post.

The studio labor situation was uppermost in the minds of all present. Among those attending were Harry Cohn, Cliff Work, Barney Balaban, Will Hays, Walter Wanger, Mendel Silberberg, Louis B. Mayer, Joseph Schenck, Pat Casey and Fred Pelton.

Preparations were made for Tuesday's studio basic agreement meeting at Atlantic City.

A definite assurance that production schedules will be maintained without impairment of quality was voiced at a meeting of the directors Friday night.

Charter Sabers Films

ALBANY, Dec. 3.—Sabers Films, Inc., has been incorporated here by Wilbur Duberstein, Paul Gitlin and Clarence J. Prince, New York.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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CHRISTMAS COMES THREE

for those who open

DECEMBER 22ND

with

Universal's



EDGAR
BERGEN
and CHARLIE
McCARTHY

in "CHARLIE
McCARTHY,
Detective"
(Tentative title)

DAYS EARLIER THIS YEAR!

National release date



with

Mortimer Snerd • Robert Cummings
Constance Moore • John Sutton
Louis Calhern • Edgar Kennedy
Samuel S. Hinds • Harold Huber

Original story by Robertson White and Darrell Ware

DIRECTED BY FRANK TUTTLE
ASSOCIATE PRODUCER, JERRY SACKHEIM

Theatre Business Spotty, Survey of Grosses Shows

(Continued from page 1)

repercussions, grosses have been better than average in the British Columbia area, spotty in Toronto and holding even in Montreal.

Reports from various sections follow:

Definite Trend Upward In San Francisco Gross

SAN FRANCISCO, Dec. 3.—Opinion of leading first run operators here indicates a definite trend upward in box-office receipts since the close of the Exposition. Fall gains generally are expected to average between 10 and 20 per cent higher than summer business.

In addition to the closing of the Fair, business here has been helped by the Fall season, normally a box-office booster in this area.

Trend Is Upward In New Orleans Area

NEW ORLEANS, Dec. 3.—The box-office trend has been decidedly upgrade since mid-October. Exhibitors attribute the increase to general business improvement and favorable weather. The last 30 days has been one of the driest periods in local history.

Exhibitors generally feel that business will hold up well throughout the Winter.

First and Second Runs Are Up in Philadelphia

PHILADELPHIA, Dec. 3.—Queried about business conditions, David Weshner, central zone manager for Warner Theatres, dominant circuit here, said the trend is "definitely up" for the first and second runs in the downtown section of the city, while the neighborhood theatres are "about even."

Outlook Not Bright For Cincinnati Area

CINCINNATI, Dec. 3.—On the whole, business here is below last year's level. Big pictures do good business, but otherwise the outlook is not favorable.

Regarded as significant of conditions in this area is the fact the four Columbus first runs—two Loew and two RKO—are showing duals in an effort to recapture patronage. This has brought some improvement.

Exhibitors are hopeful for an upturn, in view of the improvement in general industrial and business conditions.

Grosses Appear Spotty In Ontario Province

TORONTO, Dec. 3.—The current theatre business in the Toronto district is extremely spotty, due to unusual developments of both local and international nature.

A pronounced wave of giveaways, more evident than ever before here, had serious consequences.

Money contests are being offered in every city and town of importance throughout Ontario and it is believed that there will be repercussions that will jolt the business generally in the long run. Both independent and circuit houses are indulging in giveaways or inducements apart from screen fare, this being the first time that the circuits have used the premium stunt. In some quarters it is believed that the big chains are playing the indies at their own game in a move to flood the situation and bring the giveaway trend to a quick kill.

In so far as pictures go the good attractions are getting big crowds without benefit of gifts, but in this, the trend is evidently influenced by the war. The opening of "The Lion Has Wings" at the Toronto Uptown was a mighty demonstration of interest with a huge turnout of patrons.

British Columbia Sees Business Improvement

VANCOUVER, B. C., Dec. 3.—Theatre grosses in British Columbia are showing a slightly better average currently than for the corresponding period of last year.

"Our business is slightly better than a year ago, and we are quite optimistic for the balance of the season, on into next year," declared Frank H. Gow, British Columbia supervisor for the Famous Players circuit here. He based his optimism on increased industrial activity anticipated as a result of war orders likely to be placed.

Independents echo these sentiments, with Frank J. Dawson of the Plaza and Paradise, downtown houses, reporting a definite increase. Howard Boothe of the Independent Theatre Owners Association, including mostly suburban houses, reports good business for member-owners.

Big Pictures Boom Grosses for Buffalo

BUFFALO, Dec. 3.—A number of big pictures in recent weeks, plus stage attractions, have boomed grosses here. Theatre men say that as long as the box-office films keep coming, Buffalo theatres will have nothing to worry about.

This is the sentiment of Dick Kemper, Twentieth Century Theatre; Vincent McFaul, Shea circuit; Dewey Michaels, Mercury, and Dick Walsh, Lafayette.

Downtown theatres are experiencing a long awaited spirit of competition because of superior bookings all around. This has proved a stimulant to the box-office.

Business Is Spotty For Milwaukee Houses

MILWAUKEE, Dec. 3.—Theatre business continues spotty in this area. Only outstanding pictures get good grosses. Exhibitors point to rising living costs and no corresponding wage increase as a predominant reason for lagging business.

To meet the situation, theatres around the state have reduced admission scales slightly and in some cities have started bargain nights.

Exhibitors see a hopeful sign for the future in rising payroll and employment indices.

No Indianapolis Increase Noted

INDIANAPOLIS, Dec. 3.—Theatre business has not shown an increase despite a payroll increase of about 10 per cent in this industrial area.

Neighborhood grosses have been below normal expectations. In the state business is about the same as last year.

Don R. Rossiter, executive secretary of the Associated Theatre Owners of Indiana, says there have been only one or two small admission increases in this territory. He believes the trend will be toward higher admissions.

Box-Office Fluctuates In Albany Territory

ALBANY, Dec. 3.—Box-office figures are fluctuating in this section, with business improved in cities and lagging in towns and rural districts.

Louis R. Golding, district manager for the Si Fabian circuit, which has 10 houses in this area, says business is showing improvement. Golding believes that with more people employed, theatre grosses will continue to rise slowly.

Warner circuit, however, says business is slightly off and not as good as last year. Theatres were the last to feel the depression a year ago and may be the last to experience an upturn, according to Charles A. Smakwitz, district manager. He feels improvement should come after Jan. 1.

Independent exhibitors say business has been disappointing in the rural areas.

Definite Uptrend Seen About Charlotte

CHARLOTTE, N. C., Dec. 3.—There is a definite box-office uptrend in this area, according to the office of the Theatre Owners Association of North and South Carolina.

This is confirmed in a consensus of opinion of exhibitors. They say business is better and that they expect better results from now on.

Roy Smart, district manager of North Carolina Theatres, Inc., said that while there has been a seasonal improvement, it has not met expectations.

San Antonio Grosses Are Under Last Year

SAN ANTONIO, Dec. 3.—Box-office receipts are not as good as last year, according to exhibitors. They anticipate improvement for 1940, however, because of the sharp increase in activity and enlistment at the various military camps and air fields in this vicinity.

Theatres are bolstering business by midnight shows, which draw good crowds. The lure is a preview of a film which will not get a regular run until later. Vaudeville is increasing. Rural trade has dropped considerably in the last three years due to drought.

Connecticut Exhibitors Are Not Too Optimistic

NEW HAVEN, Dec. 3.—Although the release of some big pictures in the last few months has boosted grosses, most exhibitors canvassed in this area are not sure that better times are here to stay.

The public is becoming increasingly discriminating, it is felt, and although employment and payrolls have increased generally throughout Connecticut, exhibitors say business is only as good as the product offered.

Games Cause Grosses To Suffer in Utica

UTICA, Dec. 3.—Business is fair in Utica, with weekend grosses strong. Chance parties every night have tended to make this a weekend city for film theatres.

Games have hit grosses here, with at least 20 organizations or churches sponsoring them. The Knights of Columbus draws as many as 3,000 on Friday nights to its parties. About 18,000 persons are estimated to attend games here weekly. As a result, 14 of this city's 15 theatres run chance games. Sole dissenter is Charles C. Gordon, who operates the first-run Olympic.

Business Holding Even at Montreal

MONTREAL, Dec. 3.—Box-office returns in Montreal over the past few months have generally been holding even. Special attractions from time to time have brought exceptional business; but, on the other hand, some pictures have dropped below par.

George Rotsky, managing director, Consolidated Theatres, Ltd., which owns four out of five first runs here, said: "Grosses recently have just about held their own. Early in September there was a slight drop due to the outbreak of war."

Montreal theatre receipts during 1938 showed a slight drop from 1937, according to the Dominion of Bureau Statistics. The same applies to many other large cities in Canada.

St. Louis Business Up to Expectations

ST. LOUIS, Dec. 3.—Business generally has fulfilled the expectations of exhibitors in this area, but has shown no indication of exceeding anticipations. Ideal weather for motoring has prevailed throughout the autumn.

John X. Quinn, head of the M-G-M exchange, says business has been equal to last year, and future developments at the box-office depend entirely on the caliber of forthcoming pictures. Harold Evans, manager of the Loew's State, says business is just fair, blaming national conditions for its not being better. Harry Crawford, manager of the Ambassador, says the lowering of admissions to 40 cents at week nights was an important factor in the general pickup of business at his house.

Bingo Hearing Dec. 8

MILWAUKEE, Dec. 3.—Arguments on the legality of Bingo are scheduled to be heard Dec. 8 by the State Supreme Court, which will consider the recent decision by Circuit Judge Charles L. Aarons enjoining the playing of the game at the Bahn Frei Hall here. Judge Aarons ruled Oct. 23 that the game constituted gambling and was a public nuisance.

Cut Kyser Prices; Theatre Jammed

Boston, Dec. 3.—When Kay Kyser and his band opened at the Keith Boston Wednesday morning all seats were listed at 65 cents.

High school and college students raised such a howl of protest in front of the theatre that the prices were lowered at 1 p.m. to a minimum of 40 cents.

The theatre soon was filled to capacity—3,200—which it did not have in the morning.

Trust Queries Revised; Trial Plans Speeded

(Continued from page 1)

case has been removed from the regular court calendar by a stipulation entered into by attorneys for both sides. The case had been placed on the calendar last Spring through the filing of an answer to the Government's bill of complaint by Adolph Ramish of San Francisco, who was named by the Government originally as a Universal defendant, but who has not been associated with the company for the past two years and probably will be excused as a defendant before the suit goes to trial.

From the position of the case on the Federal court calendar now, indications are that it would be reached for call next February or March if it were not being removed from the calendar.

Simplification of the Government's complex interrogatories was completed on Saturday after nearly five months of discussions between Department of Justice representatives and counsel for the company defendants.

Nine Questions Eliminated

Nine questions have been eliminated from the Government's interrogatories in their entirety, bringing the total down from an original 68 questions to 59. However, the most significant accomplishment is the basic simplification and clarification of the remaining 59 questions.

Where these, in their original form, referred broadly to generalized operations of the defendants and their subsidiaries over a period of many years, the revised interrogatories are more brief and relate only to specific places and happenings.

The revisions have so simplified the defendants' task of answering as to make possible the prediction that replies can be completed in 60 to 90 days, whereas defense attorneys asserted last Summer that it would require anywhere from six months to two years to prepare answers to the Government's interrogatories in the form in which they were originally served on the defendants.

The revised interrogatories are still open to discussion in connection with further simplification, but it is assumed that additional changes, if any, will be of a minor nature.

RKO Cross-Interrogatory

RKO served a cross-interrogatory on the Government on Friday. It consisted of 43 separate questions seeking definite instances of alleged violations of the anti-trust laws, identification of Government witnesses and specific dates, locations and parties to violations alleged in the Government's bill of complaint. Each of the 43 main questions is supplemented by a list of detailed sub-questions.

Paramount, 20th Century-Fox, Loew's and Warners will serve their own cross-interrogatories on the Government today. These will follow the general form of RKO's interrogatory, but will not be as detailed in substance.

Universal will serve a cross-interrogatory at a later date which, it is believed, will follow, in general, that of United Artists. Columbia will serve its own interrogatory on the Government today and, indications are, it will bear but little similarity to the others.

Williams said on Friday that the Government regards United Artists' interrogatories as "proper and in accord with the new rules of Federal practice," and, therefore, will answer them fully within the next 60 days.

The United Artists' interrogatories were limited for the most part to queries as to the names and residence of Government witnesses or those whom the Government believes to have knowledge of United Artists' part in any violations of anti-trust laws alleged by the Government.

Williams said that he had not had an opportunity to study RKO's interrogatories but that, if they were at all similar to United Artists, prompt answers would be made by the Government. It is believed that the same viewpoint applies to the interrogatories being filed by the other six company defendants.

AGVA Plans Drive On Broadway First

(Continued from page 1)

the demands presented Thursday provide a basis for negotiations and that modifications may be found necessary after conferences.

It was also pointed out that the Guild was not seeking any specific contract with exhibitors or circuits directly, but was asking them to sign a code of fair practises. If such a code is adopted, it would provide for certain minimum working conditions and require exhibitors who book a complete stage show as a unit to compel those supplying the show to observe all standards, Mrs. Bryant said. In this respect, it would be similar to the code now in force between the American Federation of Radio Artists, radio stations and advertising agencies.

Buffalo Bingo Drive Finds Six Indicted

BUFFALO, Dec. 3.—One corporation and five individuals have been indicted by the Grand Jury after an investigation of the operation of public Bingo here.

District Attorney Leo J. Hagerty took the case before the jury with a view to obtaining a ruling on the games. Nearly 100 subpoenas were served on winners while the games were in progress.

Critics' Quotes . . .

"Private Lives of Elizabeth and Essex"

Magnificent movie . . . brought to the screen in brilliant fashion (*Kansas City Star*).

"First Love"

Presented charmingly . . . not quite so fresh and ingenious as were its predecessors (*Kansas City Star*).

"Destry Rides Again"

There are no two ways about it . . . It is a swell show (*Hollywood Citizen-News*). Yippee-e-e-e-e-e-e (*Los Angeles Examiner*). Gives Marlene Dietrich a new screen sparkle (*L. A. Times*). One of the rootin'-tootin'est shoot 'em-up Western thrillers since Tom Mix and Bill Hart (*L. A. Herald-Express*).

"The Great Victor Herbert"

Brings to the screen an overflowing abundance of the music of the great Victor Herbert (*Hollywood Citizen-News*). The film rates a distinct triumph . . . on the season's outstanding list (*L. A. Herald-Express*). The picture is a triumph (*L. A. Examiner*). This is a capital event (*L. A. Times*).

B-K to Answer U. S. Suit Charges Today

CHICAGO, Dec. 3.—Defense counsel in the government suit against Balaban and Katz and the majors will file briefs answering the government's charges tomorrow. The government then has 15 days to file an answer, following which the defense will submit another reply before any oral arguments will start or the Master in Chancery will review the case. Indications are that no decision can be reached before Feb. 1 at the earliest.

Strong Gains In Bookings By Networks

November's gross billings for CBS rose 40.9 per cent over the same month last year, while NBC totals rose 8.6 over November, 1938, official figures revealed over the weekend. CBS grossed $3,456,323 for the month as compared with $2,453,410 for November, 1938. The figure represented a rise of 2.7 per cent over October's figures which were $3,336,654.

NBC total for both the Red and the Blue networks was $4,234,984 for the month as compared with $3,898,919 last year and $4,219,253, a rise of .4 per cent, for October. The Red grossed $3,277,529 for November as compared with $2,948,854, a rise of 11.1 per cent over last year, and $3,321,128, a drop of 1.3 per cent, for October. The Blue grossed $957,455 for November, as compared with $950,065, a rise of .8 per cent over last year, and $898,-125, a rise of 6.6 per cent for October.

The eleven month total for CBS was $30,992,671, a rise of 24.9 per cent over $24,816,337 for the same period in 1938. NBC grossed $40,964,606 for the first 11 months, a rise of 9 per cent over the same period last year.

Wins Republic Prize

Bob Fannon, Republic salesman for Long Island, won the second weekly prize of $25 given by Herman Gluckman, franchise owner, for salesmen leading in the Republic playdate drive.

"Shucks! If you think I was trying to be a hero, you're mistaken. I didn't figure to get shot."



"MAIN STREET LAWYER"

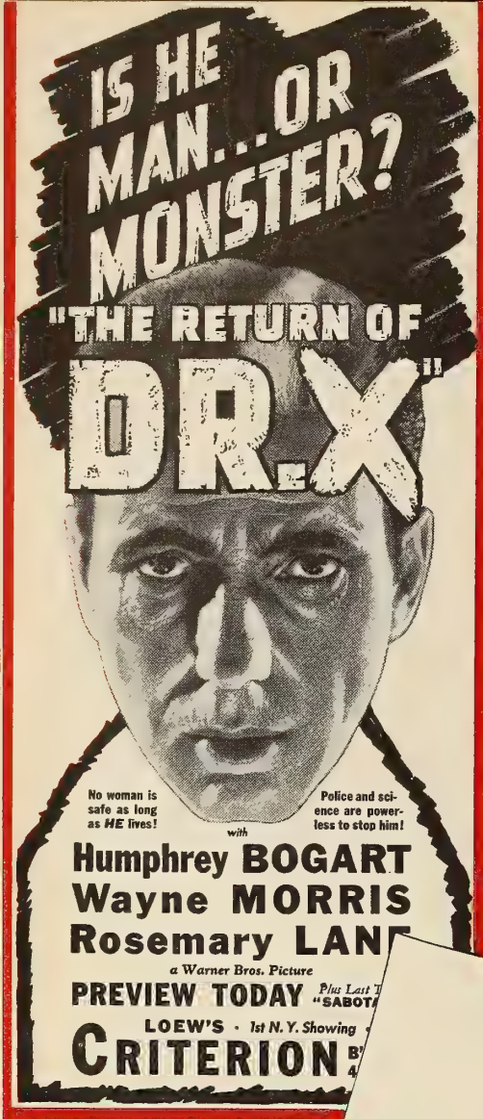
with

EDWARD ELLIS • ANITA LOUISE

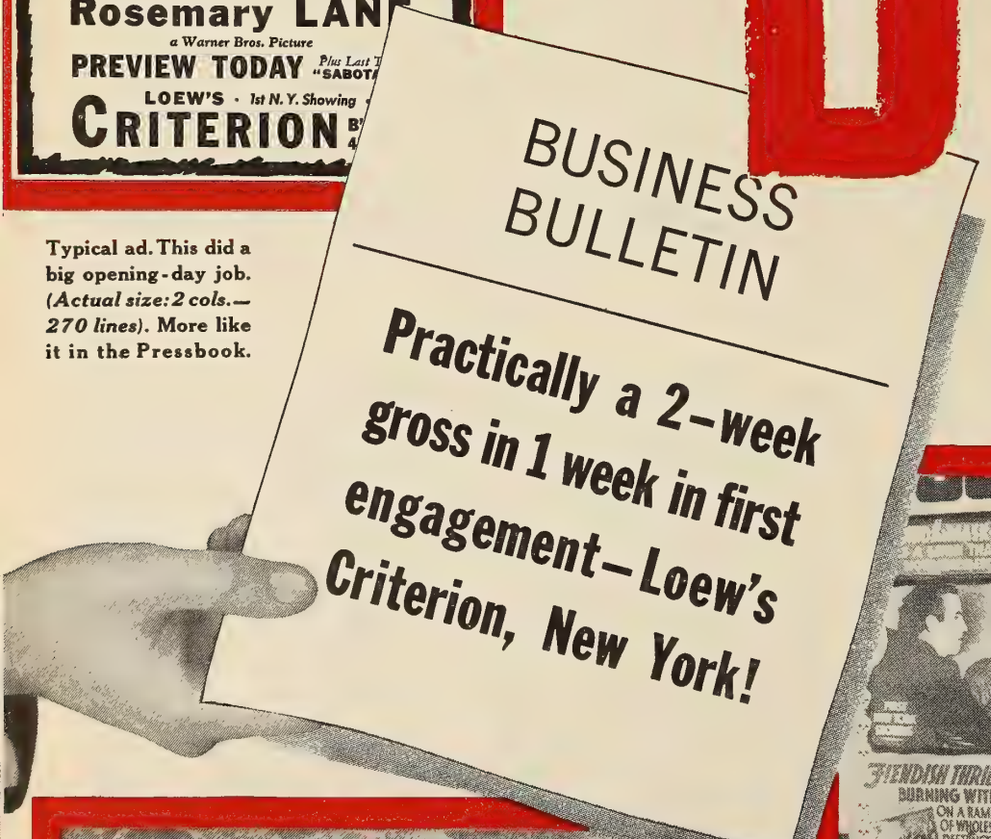
HAROLD HUBER • ROBERT BALDWIN • BEVERLY ROBERTS

A Republic Picture

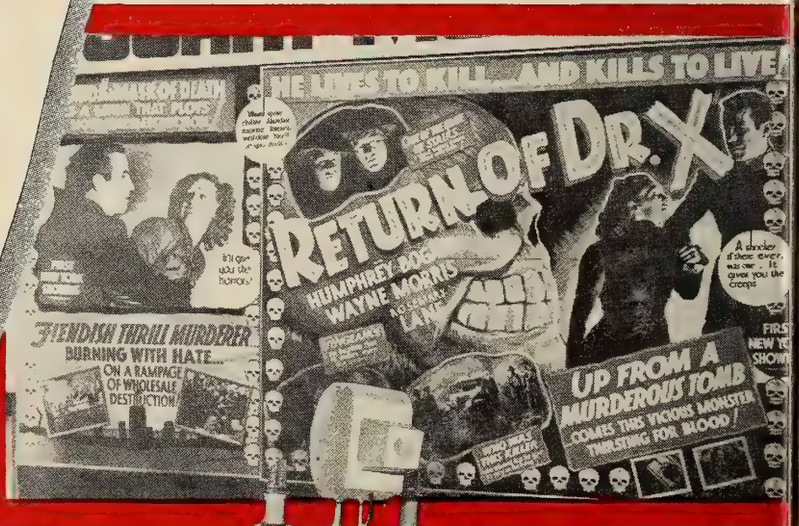
HERE'S THE FIRST RETURN —*and big!* FOR "THE RETURN OF DR. X"

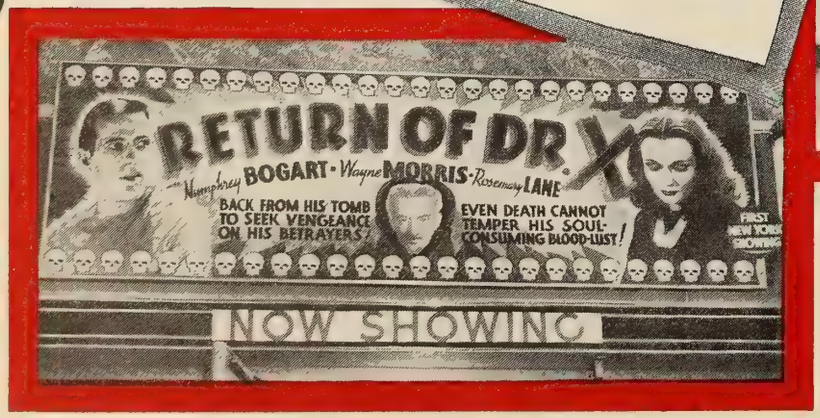


Typical ad. This did a big opening-day job. *(Actual size: 2 cols.—270 lines).* More like it in the Pressbook.



It's *the show* for live showmen ... and the first date shows it! Give it the gun ... it'll give you a gross to yell about!

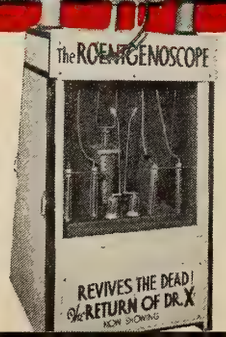




Over-the-exit banner—used in advance and converted to current display.

Giant lobby piece tells the 'Shocker' story two weeks in advance.

A couple of coils, a couple of test tubes, a few worn bulbs, a cabinet, and you have a genuine horror gimmick.



TELL 'EM IT'S A THRILLER!
TELL 'EM IT'S A SHOCKER!
Tell 'em it's from
WARNERS

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 109 NEW YORK, U. S. A., TUESDAY, DECEMBER 5, 1939 TEN CENTS

'Wind' Terms Get Rodgers' Confirmation

Ask 70% Terms from Big And Small Alike

CHARLOTTE, N. C., Dec. 4.—M-G-M's sales terms on "Gone With the Wind" were officially announced today for the first time by William F. Rodgers, M-G-M general sales manager, at the annual convention here of the Theatre Owners of North and South Carolina.

Rodgers said in part:

"So many conjectures have been made concerning our plans for 'Gone With the Wind,' I believe the interest of all concerned would be served best by a departure from the usual. Although it has never been our custom in the past to announce publicly terms or conditions under which product distributed by us is to be offered to our customers, I feel the conditions justify the unusual.

"We feel a sense of privilege and pride in distributing this great produc-

(*Continued on page 8*)

'Lynton' Case Goes To Supreme Court

WASHINGTON, Dec. 4.—The U. S. Supreme Court today agreed to review the "Letty Lynton" case. The petition of the authors, Edward Sheldon and Margaret Ayer Barnes, which asked for a review of the reduction of their verdict from approximately $600,000 to $150,000, was granted, while the petition of M-G-M for a review of the question of infringement was denied.

The original $600,000 verdict, which represented all the profits earned on the film, plus attorneys' fees, was reduced to one-fifth of the profits by the U. S. Circuit Court of Appeals.

Marcus Loew Firm Net Profit $203,160

TORONTO, Dec. 4.—Marcus Loew's Theatres, Ltd., has reported for the fiscal year ending Aug. 30 net operating profit of $203,160, which compares with $201,158 reported for the previous fiscal 12 months. During the year, arrears of dividends on the seven per cent preferred shares amounting to $194,535 were paid, covering the period up to Dec. 31, 1936.

Loew's London Theatres, Ltd., operating Loew's at London, Ont., showed a net operating profit of $22,464 for the 53 weeks ending Aug. 31 last, compared with $22,387 for the previous 52 weeks.

Stiffer Enforcement In New Ticket Code

More stringent enforcement provisions and a lower tax per ticket to brokers feature the new ticket code adopted yesterday by the League of New York Theatres.

The Grievance Board, set up under last season's code, is abolished, and a Code Enforcement Authority is established. The authority, which will have two League members, and two members of Actors Equity, will initiate investigations and hold hearings on complaints against brokers and theatre employes. Decisions will be final, but when the Authority is unable to agree, the issue will be referred to an Impartial Trial Board.

Brokers are required to pay a tax of three cents per ticket, instead of the present three and one-half. Two cents will be used for enforcement, and the third will be held in escrow to be used if additional funds are needed.

The League also accepted a new contract from Equity. Only minor changes from the existing contract were made.

Pathe Laboratories To Get Coast Firm

HOLLYWOOD, Dec. 4.—O. H. Briggs, president of Pathe Laboratories, Inc., of New Jersey, will arrive here this week to consummate a deal under which International Cinema Laboratories, now known as Cinema Laboratories, will be taken over by Pathe. The deal involves creation of Pathe Laboratories, Inc., of California, which will operate the local laboratory.

Stock of Cinema Laboratories, re-

(*Continued on page 8*)

No Cancellation On Metro in Canada

Toronto, Dec. 4.—The cancellation privilege will not be included in Canadian contracts for M-G-M product, according to Henry L. Nathanson, general manager of Regal Films, Ltd., Canadian distributor.

Notification to this effect and reasons have been sent to independent exhibitors. Nathanson pointed out that the Canadian company is entirely independent of M-G-M in the United States in so far as policy is concerned. The cancellation clause is not required in Canada legally. Further, the cost of distribution is considerably higher because of the comparatively few theatres in a country as large as the United States.

Talk Annual Dinner To Honor Industry

HOLLYWOOD, Dec. 4.—Discussions among studio publicity chiefs are currently under way regarding a plan proposed to Fred Beetson, executive vice-president of the Association of Motion Picture Producers, by the Los Angeles Advertising Club for a yearly banquet at which stars from each studio would be honored.

The letter said, in part: "At a recent meeting of the board of directors of the Los Angeles Advertising Club it was unanimously agreed that the holding of an annual event honoring the motion picture industry, its principals, players, publicists and advertising departments would be a proper function of this organization."

Florida, Like N. Y., Clamors For Hollywood Film Work

Florida, which for a long time has been attempting to draw production from Hollywood with numerous inducements to producers, now is in the position of competing with New York, whose Mayor La Guardia has launched a vigorous campaign to bring at least a portion of production to the city.

With the opening of "Gulliver's Travels" set for Dec. 18 in Miami, where Max Fleischer produced the cartoon feature for Paramount release, Florida's campaign for more production has gained new impetus.

In that connection, John Hall, president of the Miami Chamber of Commerce, said:

"'Gulliver's Travels' was produced in Miami, very successfully, and we need no additional proof that Miami is an ideal site for the making of animated cartoons. Florida has plenty to offer film producers and we'll match anything that Mayor LaGuardia offers, plus a little more.

"We offer tax exemption for 15 years and a year-round climate that makes even Californians want to change the subject when you speak of the weather.

"Our Chamber of Commerce is meeting to perfect plans for the premiere of 'Gulliver's Travels,' for the state-wide celebration of the event and for our campaign to bring more film studios to Florida."

Unions' Wage Pleas Before Majors Today

Atlantic City Parley Gets 10% Pay Raise Demand

Wage increases amounting to approximately $400,000 may be granted to 4,000 studio members of three A. F. of L. unions at today's meeting of producers' representatives and union heads at the Ritz-Carlton, Atlantic City.

The three unions, signatories of the five-year basic agreement with studios, will ask a 10 per cent increase in basic wages during the meeting. They are the International Brotherhood of Teamsters & Chauffeurs, I. B. of Carpenters & Joiners and I. B. of Electrical Workers.

The American Federation of Musicians, the fourth international union which is a signatory of the basic agreement, will not ask for any change in the basic wage rate for its members. However, this union is scheduled to confer further with producers' representatives in the near future on the Federation's program for providing increased employment for its members within the film and theatre industry.

Company heads and representatives who will go to Atlantic City this morning to participate in the negotiations are: Nicholas M. Schenck, president of Loew's; W. C. Michel, 20th Century-Fox executive vice-president; George J. Schaefer, RKO president; Leo Spitz, Universal attorney; Joseph Hazen, Warners; Leonard Picker, Columbia attorney; Harry Buckley, United Artists; Austin C. Keough, Paramount vice-president, and Pat Casey and Fred Pelton, labor

(*Continued on page 2*)

Rites for Father of Sidney R. Kent

LOS ANGELES, Dec. 4.—Funeral services were held this afternoon at Altadena for Sidney John Kent, 85, father of Sidney R. Kent, president of 20th Century-Fox. He died Saturday night after a long illness.

Kent retired as a finance company executive in Chicago in 1922 and came to the West Coast.

Also surviving are the widow, Mrs. Alice M. Kent; three other sons, Lawrence, an executive of Fox West Coast; Arthur of San Francisco and Ernest of Inglewood; a daughter, Mrs. Olive Barber of Laramie, Wyo., and a sister, Mrs. Amy Harper of London, England.

Unions' Wage Pleas Before Majors Today

(*Continued from page 1*)

representatives for the Producers Association.

Representing the unions will be Joseph N. Weber, Musicians Federation president; William Hutcheson, president of the I. B. of Carpenters & Joiners; Daniel Tracy, president of the I. B. of Teamsters & Chauffeurs, and Daniel Tobin, president of the I. B. of Electrical Workers.

In addition, the studio locals of the unions are sending several business agents direct to Atlantic City from the coast.

The I.A.T.S.E., which withdrew from the basic agreement at the first of the year, will not be represented at the meeting. It was the I. A.'s recent success in winning 10 per cent wage increases for its studio workers which made it more or less imperative for the other studio internationals to request a similar increase for their Hollywood members and which now makes it extremely difficult for the company representatives to refuse.

Apart from the wage increases, no other issues of importance are expected to be discussed at today's meeting.

The basic agreement will not expire until March, 1941, and, therefore, while discussions of a renewal of the pact are possible, the subject is not expected to come up today.

Casey and Pelton arrived from the Coast yesterday. Casey may remain in New York for the anticipated reemployment conference with the Musicians' federation, although no date for that conference has been set yet. He may also confer with Local 644, Newsreel Cameramen's union, on minor phases of their new contract which were not completed at the Hollywood meeting two months ago at which the news cameramen won a 10 per cent wage increase.

Casey denied recent Coast stories to the effect that he had been transferred to New York from the Coast to concentrate in the future on Eastern labor matters.

Victor Clarke, secretary of the Producers' Association labor committee, will leave that post Jan. 1 and his duties will be taken over by Pelton.

Brandt in Hollywood

HOLLYWOOD, Dec. 4.—Harry Brandt, president of the I.T.O.A. of New York City, is in town looking over the studio situation. He will be here until Sunday when he departs for Dallas to address a meeting of theatre owners.

MITCHELL MAY, Jr. CO., INC.

INSURANCE

Specializing in requirements of the Motion Picture Industry

75 Maiden Lane, New York
510 W. 6th St. Los Angeles

Purely Personal

HARRY A. ROSS, president of Ross Federal Service, has left for Florida to recuperate from an attack of the grippe.

•

JOHN D. HERTZ, JR., ARTHUR LOEW, MORT SPRING, RUDY MONTGELAS, ARMANDO, MARY PHILLIPS, BIDE DUDLEY, SAM SHAIN, ARTHUR KRIM, SIDNEY PHILLIPS, LEONARD GOLDENSON, I. E. LOPERT, LEON LEONIDOFF, CLIFTON WEBB, LUTHER ADLER, JACK DURANT and LEE SHUBERT lunching at Sardi's yesterday.

•

TOBY GRUEN, JOHN HICKS, GEORGE WELTNER, MAX A. COHEN, TOM CONNORS, WILLIAM ORR, OWEN DAVIS, WILLIAM BRANDT and DAVID WEINSTOCK at Nick's Hunting Room in the Astor for lunch yesterday.

•

JOSEPH P. KENNEDY, U. S. Ambassador to England, scheduled to arrive via *Clipper* today, has been delayed on account of unfavorable flying weather. His arrival now is dependent on weather.

•

EDWIN A. BURKART, Cincinnati salesman for 20th Century-Fox, and MISS ANN OLLINGER, former employe at the exchange, were married recently.

•

MICHAEL CONNOLLY, business representative in the Eastern office of the Screen Actors Guild, returned from Miami Beach yesterday after a 15-day vacation.

•

TOM JONES, M-G-M booker in Charlotte, is passing out cigars on the birth of THOMAS MIDDLETON JONES in that city last week.

•

WILLIAM GLEICHER of the M-G-M sales department is the father of a boy, NORMAN JAY, born to MRS. RUTH GLEICHER at Polyclinic Hospital.

•

DAVID ROSE, head of Paramount's British production, will arrive from Europe this morning on the *Staatendam*.

•

J. CHEEVER COWDIN, Universal board chairman, was delayed in his departure from the Coast and now is expected here by plane tomorrow.

•

NORMAN H. MORAY, Vitaphone sales manager, returned yesterday to his desk after a tour of Western and Southern branches.

•

AL DAVIS of M-G-M's New Haven exchange has become engaged to HELEN POLLACK of New Haven.

•

DENSMORE A. ROSS, general manager of Ross Federal Service, has returned from the Coast.

•

WILLIAM GOETZ and his wife leave the Coast today for a three weeks' stay in New York.

•

BARNEY BALABAN, Paramount president, is expected back from the Coast on Friday.

•

NEIL SULLIVAN, Pathe News cameraman, is due from the war front today on the *Staatendam*.

•

WILL H. HAYS arrived yesterday from the Coast.

HENRY GINSBERG arrived from California over the weekend and will remain East for about two weeks.

•

PHIL BAROUDI, who operates the Happy Hour, North Creek, N. Y., recently bagged an eight-point, 200-pound buck. As a result, each local exchange with which BAROUDI books received some venison.

•

F. J. A. MCCARTHY, Eastern sales manager of Universal, has left for Nashville, the first stop on a Southern trip from which he will return at the end of this week.

•

GEORGE O. WALBRIDGE, president of Lenwal Productions, has returned from Lake Placid where he made arrangements to film Lenwal's next release.

•

STANLEY BLACKBURN, owner of the Mainstreet Theatre, Fremont, Neb., was recently married to PEGGY HUNTER.

•

BARBARA HOLMES, formerly radio script writer, has joined EMERSON YORKE, independent shorts producer, as secretary and script assistant.

•

JOHN W. HICKS, Paramount vice-president and foreign head, arrived from the Coast by train yesterday.

•

LOUIS PHILLIPS, Paramount home office attorney, returned yesterday after a month on the Coast.

•

NATHAN L. NATHANSON, manager and operator of Paramount theatres of Canada, is in Hollywood for a visit.

Mrs. Crabill Dies

JAMESTOWN, N. Y., Dec. 4.—Mrs. Josephine Mildred Jennings Crabill, 38, wife of Ralph E. Crabill, district manager for Warner Theatres, is dead here after an illness of seven months. Burial was at the Sunset Hill Cemetary. Besides her husband, Mrs. Crabill is survived by her mother, a son and two brothers.

Delay Fox West Case

LOS ANGELES, Dec. 4.—A crowded Federal Court calendar today caused postponement until Dec. 14 of arguments on the Fox West Coast and major distributors' motion for a bill of particulars in the government's contempt proceedings involving anti-trust consent decrees obtained against the circuit.

Ostrow Plans Vacation

HOLLYWOOD, Dec. 4.—Lou Ostrow, who has been associate producer on the "Hardy Family" series at M-G-M, will withdraw from the company shortly. He plans a long vacation before returning to production.

Fleming Gets Pact

HOLLYWOOD, Dec. 4.—Victor Fleming, who directed "Gone With the Wind" for Selznick International, has signed a new contract with M-G-M.

For Lunch, Dinner or Supper
LaHIFF'S TAVERN
The Industry's
MEETING and EATING PLACE
156 W. 48th St. Tel. CHickering 4-4200

Exchanges' Wage Talks on Thursday

Film Exchange Employes Union representatives arrive here today for preliminary discussions prior to the start of negotiations with distributors Thursday on a new agreement for 3,500 exchange workers.

John Gatelee, I.A.T.S.E. representative of Springfield, Mass., and Richard Walsh, I. A. vice-president, are scheduled to participate in the negotiations as spokesmen for the Alliance. Gatelee represented the I. A. in the negotiations on the initial agreement two years ago.

The union's committee will include seven members who will act for the locals in the 32 exchange centers. They are: Lou Johnson, president of the New York local; Lawrence J. Katz, Pittsburgh; W. E. Crick, Memphis; Neil C. Bishop, Chicago; Marie Holdsworth, Des Moines; Lee Cronk, Denver, and F. Jodrey Smith, San Francisco.

Film Import Taxes Raised in Australia

Australia has imposed a new duty of one-pence per foot on raw stock imported into the commonwealth and has increased the duty on color prints and all other positives from four-pence to five-pence a foot, according to information received in home office foreign departments yesterday from company representatives in Australia.

The increases were ascribed to the need for increased governmental revenues as a result of war-time expenditures.

Heretofore, raw stock has been admitted to the commonwealth duty-free. The increased tax on black-and-white positive imports, however, will not affect American distributors to any large extent as virtually all black-and-white prints are made within Australia.

It was indicated here that the raw stock impost will be passed along to importers.

Scully Touring South

William A. Scully, Universal general sales manager, attended the convention of the Theatre Owners of North and South Carolina at Charlotte yesterday, and will go from there to Nashville and New Orleans, returning at the end of the week.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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UNIVERSAL'S

"Destry Rides Again"

MATCHES GREATEST BUSINESS RIVOLI THEATRE HAS HAD IN FIVE YEARS!



and—

and-"DESTRY" STANDS NEW YORK



"Perfectly grand!..." says Frank Nugent in N.Y. Times

By FRANK S. NUGENT

It's difficult to reconcile Miss Dietrich's Frenchy, the cabaret girl of the Bloody Gulch Saloon, with the posed and posturing Dietrich we last saw in Mr. Lubitsch's "Angel." Her "Blue Angel" comes closer to it. Once again she's hard and tough and painted to the margins of the pallette. She delivers such ballads as "Little Joe the Wrangler" and "The Boys in the Back Room" with quite the proper whisky contralto effect. She cold-decks a poker sucker with complete nonchalance, tucks her satnings down her dress front and doesn't bat an eye when a cowhand murmurs "Thar's gold in them hills." (And where the Hays office was when that line sneaked through we'll never know, not that we mind it.)

The scene that really counts, though, is the cat-fight between Miss Dietrich's Frenchy and Una Merkel's outraged Mrs. Callahan. We thought the battle between Paulette Goddard and Rosalind Russell in "The Women" was an eye-opener; now we realize it was just shadow-clawing. For the real thing, with no holds barred and full access to chairs, tables, glasses, bottles, waterbuckets and as much hair as may be conveniently snatched from the opponent's scalp, we give you not "The Women," but the two women who fight it out in the Bloody Gulch over a pair of Mischa Auer's pants.

So, in brief, it is, a bit of the old West with a good bit of the old Dietrich in it; a tightly written, carefully directed show, with perfectly grand supporting performances by Samuel S. Hinds as Bottleneck's mayor, Mr. Donlevy as the chief villain, Mr. Winninger as the shirt-tucking sheriff and Mischa Auer as a Russian cowboy. Good fun every minute of it, and another trophy for Mr. Pasternak.

"Picture has everything!..." says News' Kate Cameron



By KATE CAMERON.

Nineteen-thirty-nine will go down in cinema history as the year that turned Greta Garbo from the screen's greatest dramatic actress into one of its first comediennes and that brought that great sleeping beauty of the screen, Marlene Dietrich, back to life.

In Universal's production of "Destry Rides Again," which had its first showing at the Rivoli Theatre yesterday, Miss Dietrich comes to life with a bang. The bang in this case happens to be the popping of guns in a barroom battle, when the bad men of an old western frontier town carry on a death struggle with the forces of law and order.

The picture has everything that a fast-moving, fancy riding, trigger-tickling picture of the Old West should have to make it an exciting and entertaining exhibition. The story is based on Max Brand's novel of the same name and it has been whipped into fine cinema shape by a trio of clever writers whose names appear at the head of this column.

the most entertaining western thriller since "The Virginian."



"Happy holiday picture!" says Creelman in N.Y. Sun

By EILEEN CREELMAN.

Mr. Smith, who went unarmed to Washington, now goes equally unarmed to Bottleneck. He is much less naif in "Destry Rides Again," and quite as dangerous when he gets going. In the person of James Stewart, he cleans up Bottleneck as he tried to clean up Washington. Tom Destry is the Wild West equivalent of Jeff Smith.

The Rivoli film, in which Mr. Stewart plays No Gun Destry, may come under the heading of horse opera; but it's a good film, lusty, funny, well acted, and a happy holiday picture.

Marlene Dietrich · James Stewart in "DESTRY"

CRITICS RIGHT ON THEIR EARS!

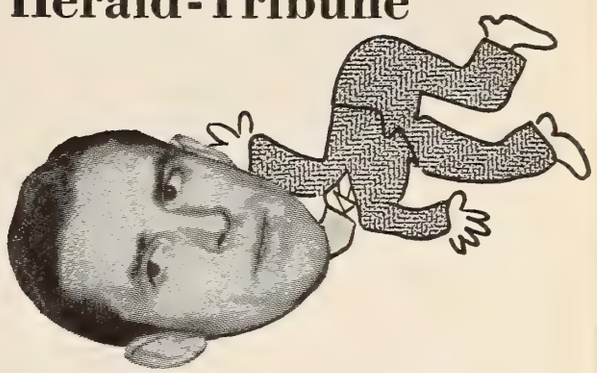


"Bang-up entertainment!" —Pelswick, Journal-American

By ROSE PELSWICK.

A good Westerner is a lot of fun, and "Destry Rides Again," at the Rivoli Theatre, is bang-up entertainment. It's not only turned out with all the traditional speed and action of the old-fashioned Wild West yarns, but it also has the further benefits of a top-flight cast, an amusingly written script and slick direction.

"A knockout punch!" says Barnes in Herald-Tribune



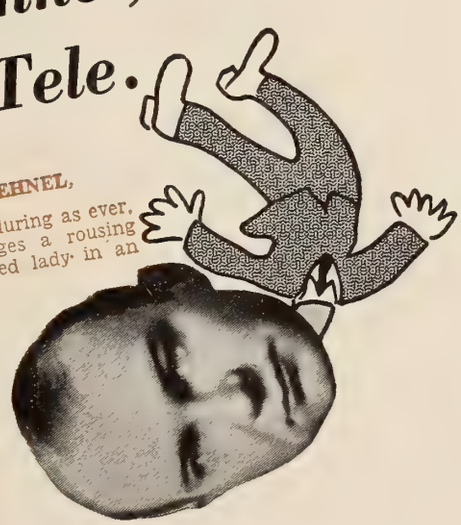
By HOWARD BARNES

"DESTRY RIDES AGAIN" continues the cycle of super-Westerns with great skill and gusto. The new Rivoli offering is as conventional as a handshake in story outline, but in its production, from the casting to the cutting, it has all the excitement of a knockout punch.

What is chiefly responsible for the robust and captivating entertainment, I think, is the splendid supervision which it has had. Joe Pasternak, whose principal concern in Hollywood has been the guiding of Deanna Durbin's unprecedented career, produced "Destry Rides Again," and he has demonstrated that he is as shrewd a showman with a six-shooter spectacle as he is with comedy of adolescence

Altogether, "Destry Rides Again" is a singularly satisfying show, and for my part I'll thank Mr. Pasternak as much as anyone for the fact that this is so.

"You can't miss it!" —Boehnel, World-Tele.



By WILLIAM BOEHNEL.

As glamorous and alluring as ever, Marlene Dietrich stages a rousing comeback as a painted lady in an early Western dance hall in Destry Rides Again, at the Rivoli. She slinks around with that come-on look, shows her famous gams, stages a riotous free-for-all with Una Merkel, sings a couple of blues numbers in her husky voice and clearly demonstrates that all she needed to show how good she is was the chance.

As for the film itself, it is a racy, exciting, forthright 90 minutes of thrills and humor which you simply cannot afford to miss.



"WOW!" cries Coleman, in New York Mirror

By ROBERT COLEMAN

"Destry Rides Again" is a rip-roaring, hard-riding, two-gun hit. Yippee! It should have New York's excitement seekers flocking to the Rivoli Theatre in droves. Yeow! It offers a new Marlene Dietrich and a better-than-ever James Stewart, supported by a glittering cast. Wow!

"Destry Rides Again," in sum, is a tornado of thrills and laughs. It, the great Dietrich and the terrific Stewart will sweep into your affections with telling effect.

RIDES AGAIN" · A Joe Pasternak Production

Defense Answers In Chicago Today

CHICAGO, Dec. 4.—Defense attorneys in the Government suit against Balaban & Katz and the major companies for alleged violation of a consent decree, will file answers to the Government's charges tomorrow.

The major companies' answers will be filed in one brief and those of B. & K. and Barney Balaban in another. The defense had obtained an additional week to file findings of fact, conclusions of law and objections to the Govrenent's findings. This brief will be filed next week, after which the Government will be given several weeks to file a reply brief.

Weather Damages Broadway Grosses

Intermittent rains and colder weather affected Broadway grosses adversely over the weekend, but the general trend continued well ahead of last year.

"We Are Not Alone," plus a stage show, at the Music Hall took an estimated $60,000 over the week end. "Elizabeth and Essex," with Al Donahue's band, drew an estiamted $31,000 at the Strand for the first four days, while "Housekeeper's Daughter," aided by a stage show, grossed an equal amount at the Roxy.

At the Paramount, "The Cat and the Canary" with Tony Martin and Jan Savitt's band on the stage, will wind up its second week tonight, grossing approximately $39,000. "The Great Victor Herbert" bows there tomorrow. The second week of "Beasts of Berlin" drew an estimated $7,800 at the Globe and is held over for a third.

Maury Is Promoted By Wilmer & Vincent

HARRISBURG, Pa., Dec. 4.—Franklin W. Maury, nephew of Walter Vincent of the Wilmer & Vincent Co., has been promoted from assistant manager of the Colonial here, to manager of the Embassy in Reading. Before coming to Harrisburg he was employed in the Wilmer & Vincent offices in New York.

Wilmer & Vincent, who for a number of years have been operating the State and Embassy in Reading, will open two more in that city. Paul Glase, manager of the Embassy for several years, will assume general supervision of all four theatres.

Theatre, Personnel Notes

Open Windsor, Conn., House

WINDSOR, Conn., Dec. 4.—Among the innovations in the 600-seat Plaza, just opened here, is a circular counter for the sale of tickets instead of the usual booth. The house also has reserved a section of its lobby for an art gallery. The house is operated by Max, Maurice and Joseph Shulman.

New Theatre at Denison, Texas

DENISON, Texas, Dec. 4. — The Fraternal Order of Eagles has sold the two-story brick building at 219 W. Main to Thomas F. Steen. He has moved from 227 W. Main to the new location with a refreshment business. The building he vacated is to be remodeled into a motion picture house of the Texas Consolidated Theatres.

RCA Deals Closed

Deals have been closed for the installation of RCA Photophone sound equipment at the following theatres: Casino, Bronx; Forest, Allington, Conn.; State, Wichita Falls, Texas; Penn, West Reading, Pa.; Coronet, Evanston, Ill., and Dodge, New Richmond, Ohio.

Rebuild Burned Theatre

GLOUSTER, O., Dec. 4.—A new 500-seat theatre will be erected on the site of the Crawford, recently destroyed by fire, according to John Crawford, owner of the property, and Louis A. Martin, manager for the Glouster Amusement Co.

Acquires House Here

The Eagle, 1,200-seat theatre at 1852 Third Ave., New York City, has been acquired by the Burton Amusement Corp. Lou Greifer is president of the concern and David Weintraub, vice-president.

Miss Berliner to Republic

NEW HAVEN, Dec. 4. — Jeanette Berliner, booker for the Grand National exchange here until it closed last week, has been appointed booker for Republic here.

Reopen Brooklyn House

The Venus, 1224 Prospect Ave., Brooklyn, has reopened.



Better sound means better box office—and RCA tubes mean better sound

RCA Manufacturing Co., Inc.

Camden, New Jersey • A Service of the Radio Corporation of America

Found in the Films

Toronto, Dec. 4.—Mr. and Mrs. C. W. Bennett of Toronto discovered their 20-year-old son, Charles V. Bennett, in the Royal Air Force when they attended a performance of "The Lion Has Wings" at the Uptown here. Unable to get a job in Toronto, the lad had taken a cattleboat to England after his father had given him a suit of clothes and some money. Friends of the family had told the parents they had seen their boy in the British film. The son is a flight mechanic.

'Goose Step' New Title of Hitler Film

Producers Pictures' "Hitler, Beast of Berlin," has been permanently retitled "Goose Step" at the suggestion of the Production Code Administration which has issued a certificate for the film under the new title. The film will continue to be shown as "Beasts of Berlin" at the Globe here during the remainder of its run.

From Richmond came word yesterday that Judge Arnold had affirmed the action of the censors in barring the film from Virginia on the ground that it tended to arouse hatred for Germany.

Usherette Alumnae Have Frisco Party

SAN FRANCISCO, Dec. 4.—A Warfield Theatre Alumnae Association, composed of usherettes who worked in the theatre 10 or more years ago, has been organized here by German Kislingbury, publicist for Fox-West Coast Theatres, operators of the house. A reunion dinner was held at a downtown hotel, followed by a theatre party. Most of the girls, it turned out, are now married to theatre managers or others connected with the business.

Law Chief Booker For Colonial Films

TORONTO, Dec. 4.—George F. Law, exchange manager starting with the General Film Co. 25 years ago, has been appointed chief booker for Colonial Pictures, Ltd., here, which recently obtained the Canadian releasing rights for the product of Alliance Films Corp., which has 12 features scheduled. The first of these, "Black Limelight," had its first run at the Hollywood Theatre, Toronto.

Unions in Joint Offices

First effort to consolidate actor-union offices here resulted in the leasing of joint space by Screen Actors Guild, American Guild of Musical Arists and the Theatre Authority at 545 Fifth Ave. The unions and the Authority will move from their present quarters later this month.

RKO Bowlers to Vie

A team of the RKO inter-office league will bowl the Pathe Roosters at Phil's Recreation, 105 W. 45th St., Wednesday night. The RKO team will include J. A. Clark, L. E. Gaudreau, C. S. Fretz, Jack Level and Warren Angus.

Short Subject Reviews

"Peace on Earth"

(M-G-M)

Harman-Ising train their satirical camera on events in Europe and the result is a timely cartoon fantasy excellent in conception and execution and admirably appropriate for Christmas showings. The story is of war and peace, as told by Grandpa Squirrel to two little squirrels. Grandpa is asked, "What are men?" He goes on to tell of a great war which destroyed all men and only animals were left to rebuild the world. Exhibitors may well apply exploitation in selling this subject. It should produce much audience comment. Running time, 8 mins.

"Couriers of the Nation"

(Emerson Yorke)

Classified as an informative Government short, "Couriers of the Nation" is a documentary, with particular interest for philatelic groups, schools and Post Office employes. The subject traces the history of the United States Post Office and describes its activities today. Various stamps and documents are pictured. Accompanying music is supplied in part by the United States Marine Band. Running time, 17 mins.

N Y Critics to Judge Newsreels' Award

New York Film Critics have consented to act as judges in the first annual newsreel award sponsored by W. French Githens, president of Newsreel Theatres, Inc.

Githens will award a cup for the best newsreel subject released in 1939. The five newsreels will submit three subjects each which will be screened for the awards committee, and the cup presentation will be made late in January.

The Critics, at a meeting Saturday, formulated plans for the presentation of their 1939 film awards on Jan. 7. Mayor LaGuardia will be master of ceremonies. Kate Cameron, critic of the *News*, will introduce the winners over a WJZ-NBC hookup.

Acceptances of awards will emanate from Hollywood as well as New York, and attempts will be made to hook in London and Paris in a transcontinental broadcast.

Creditors of Frisco Fair 'Still Hopeful'

SAN FRANCISCO, Dec. 4.—Contractor creditors of the exposition here are "still hopeful" a way may be found to finance a reopening of the Fair next year, despite a liquidation order by the exposition executive committee. The liquidation order will be presented this week. If approved it will automatically bring to an end all efforts to have the fair reopened.

Arrested for Lottery

MOBILE, Ala., Dec. 4.—Ricardo Montiel, Saenger manager, was arrested on a lottery charge when he defied the City Council and conducted a chance game. Montiel has demanded a jury trial.

U.S. Demands Fewer Details In Trust Suit

The government substantially reduced its demands for information on major company activities in a list of 50 interrogatories which it served yesterday on all majors in its anti-trust suit against them.

Requests for information on production activities, which in the government's original 68 interrogatories ranged as far back as the 1918-19 season, are limited in the amended questions from 1930-31 to the current season.

Where the government previously demanded a complete list of pictures made by the companies since 1918, including itemization of stars, distributors and cost of production, the amended list dates from 1930 and has dropped all requirements for details on cost.

Demands for details on pictures distributed by the majors have been strictly limited in most instances merely to the 1936-37 season. Complete information of rentals obtained have been confined to the cities of New York, Philadelphia, Kansas City and Atlanta and are limited to five pictures distributed by each company. This is in striikng contrast to the former demands of the government for information on every picture distributed in the United States for the past twenty years.

Moreover the government has radically changed its demands for information on the distribution of newsreels and short subjects and now seeks details solely on the 1936-37 season.

Cross-interrogatories by major companies have not as yet been served upon the government, Special Assistant Attorney General William P. Farnsworth stated yesterday. The government expects service of these questions within the next day or two, he added.

Order Bottle Top Plan Abandoned

BUFFALO, Dec. 4.—The practice of giving film tickets in exchange for milk bottle caps must be abandoned here by milk distributors, Dr. Herbert H. Bauckus, Health Board chairman, has ruled.

Dr. Bauckus said the board objects to the scheme as "unsanitary," pointing out that children pull off the caps when the milk arrives, leaving it uncovered. Some children are reported to have rummaged through refuse cans in search of bottle tops.

Plans More Color Films

HOLLYWOOD, Dec. 4.—Charles Goetz, Phoenix, Ariz., business man, whose "Gentleman from Arizona" is to have its world premiere in Phoenix Thursday, and will be released by Monogram, plans three more features, also in color.

Seating Dividend

American Seating Co. has declared a 50-cent dividend on the common stock, payable Dec. 27 to stockholders of record Dec. 12. This is the first dividend in a year.

Max Fleischer Conferring On Next Feature Cartoon

HOLLYWOOD, Dec. 4.—MAX FLEISCHER is conferring in Hollywood with CAL HOWARD and EDDIE SEWARD of his scenario "gag" staff on the next feature-length cartoon to be produced for Paramount release. While "Gulliver's Travels" is being scored and prepared for Christmas week, in eight reels, Fleischer is preparing for a new phantasy, subject for which has not yet been decided. LUIGI LURASCHI, Paramount censorship editor, is supervisor on the Spanish version of the cartoon feature.

IAN HUNTER has been given a contract extension by M-G-M. . . . JOHN Laird, neophyte stage actor, has been given a Paramount contract. . . . Warners has extended the stay of JEFFREY LYNN, currently working in "And It All Came True." . . . PHILIP EPSTEIN has been given a pact extension as a Warner writer. . . . PATRIC KNOWLES has been signed as a lead for RKO's "Bill of Divorcement." . . . LINDA HAYES will appear opposite JOE PENNER in the untitled PENNER picture being prepared at RKO.

DENNIS MORGAN draws the leading male role in "Three Cheers for the Irish," at Warners. . . . The same studio also extended the contract of VINCENT SHERMAN, who directed "The Return of Dr. X." . . . JOHN NESBITT will put four different stories, of world wide interest, into one M-G-M short. It will tell of Virginia University's famed secret organization, how surgical operations are performed at sea via wireless instructions, one of the most unusual wills ever written, and "the art and practice of doodling."

RKO has given JACK HIVELY, assigned to direct "Anne of Windy Poplars," a new contract. . . . ERNEST TRUEX has been cast for an important role in RKO's "Little Orvie." . . . LOUIS HAYWARD will star in EDWARD SMALL'S "The Son of Monte Christo," following "My Son, My Son!" . . . BUSBY BERKELEY draws the directorial assignment on "Forty Little Mothers," in which EDDIE CANTOR has the lead at M-G-M.

M-G-M has given a new contract to WALLACE BEERY. . . . JOHN SHELTON PRICE, a Hollywood-ite who went to New York for stage work, has also received a contract from the same studio. . . . FRANK MCHUGH will play in "We Shall Meet Again" at Warners, after his role in "Virginia City." OSA MASSEN has been signed by WALTER WANGER.

BEN JUDELL, head of Producers Pictures Corp., has set the cast of the "Sagebrush Family" westerns, to be produced in Prescott, Ariz., as follows: BOBBY CLARK, EARL HODGENS, JOYCE BRYANT and NINE GUILBERT. PETER STEWART will direct from an original screenplay by BILLY LIVELY. SIGMUND NEUFELD will be associate producer.

Kelly Leading Drive Of New England Unit

A series of local meetings is being conducted by E. Thornton Kelly, field representative of Independent Exhibitors of New England, Allied affiliate, to line up members. The organization is headed by Nathan Yamins of Fall River, Mass.

Kelly is now concentrating on Connecticut and says he has signed independent exhibitors in Bridgeport 100 per cent. He will hold a meeting in New Haven today.

After completing the drive in Connecticut, Kelly will work elsewhere in New England.

Pascal Starts Work On 'Barbara' Jan. 15

LONDON, Dec. 4.—Gabriel Pascal, managing director and executive producer of Pascal Film Productions, Ltd., will produce and direct "Major Barbara," George Bernard Shaw play, for which W. C. Sherriff has prepared the screenplay.

Wendy Hiller will be starred in the production, which will get under way at the Denham Studio about Jan. 15.

Ice Follies in Pittsburgh

PITTSBURGH, Dec. 4.—World premiere of "Ice Follies of 1940" will open a 10-performance engagement at Duquesne Garden Christmas night under the auspices of the Variety Club, which hopes to make $6,000 on the opening to outfit enlarged headquarters in William Penn Hotel. The rest of the run will be under Harris Amusement Co. direction.

Cry-Baby Room

Pittsburgh, Dec. 4.—First "cry baby room" in any Pennsylvania theatre is being constructed in the new Gerard, to be opened late this month by the Alpine Circuit. Built in at balcony height above the lobby, the room is soundproofed with a glass window at front and loud speaker in the back wall to bring in dialogue. The capacity is 15 movable chairs. Thus mothers with babies may see films without disturbing other patrons.

Add to Operators In British Columbia

VICTORIA, B. C., Dec. 4.—Projectionists here have scored another point in their tilt with theatre owners, obtaining a revision in the Fire Marshal's Act calling for one projectionist for each machine in houses seating 450 or more.

This partially counters the recent order allowing all houses operating 40 hours or less per week to use only one projectionist. Few theatres in the province seat less than 450.

30 Censor Cuts in Ohio

COLUMBUS, Ohio, Dec. 4.—Ohio censors reviewed 680 reels during November, from which 30 eliminations were ordered. In October, 678 reels were reviewed and 26 eliminations ordered. The November, 1938, figures were 665 reels and 47 eliminations.



TRUE STORIES FROM ALTEC FILES

Theatre Patrons Aware of Results of Sound Changes



NEW JERSEY—"I was skeptical about the Altec proposition to improve the sound in my circuit of theatres, as I thought our sound was excellent. However, the result is excellent-plus. The exhibitor who contemplates improving his sound is amply repaid for the expense." David Snaper, circuit owner.



BARBOURVILLE, KY.—"Your engineer, S. K. Brown, has just made the changes on my sound equipment, and I feel it my duty to write and thank your company and Mr. Brown for making it possible to improve our sound to this extent." Charles R. Mitchell, owner, Mitchell Theatre.



NEW YORK CITY—"Since you increased the power in our theatre in accordance with your Altec modification plan, the sound has been so markedly improved that even my patrons notice the difference." Otto Lederer, manager, Arcadia Theatre.



KANSAS CITY, KAN.—"I wish to take this means of thanking and complimenting you on the excellent results obtained in modifying our sound system. The result is so noticeable that even our patrons are commenting on the improved sound." C. C. Wooton, Manager, Jayhawk Theatre.

• • •

The Altec inspector in your neighborhood will gladly explain the Altec Modification Plan for the increase of power and naturalness in the sound of your theatre.

ALTEC SERVICE CORPORATION

250 West 57th Street, New York City

THE SERVICE ORGANIZATION OF THE MOTION PICTURE INDUSTRY

36 Pictures Now Shooting In Hollywood

HOLLYWOOD, Dec. 4.—Thirty-six pictures were before the cameras this week, as seven were finished and 10 started. Twenty-one were being prepared and 67 were being edited.

The tally by studios:

Columbia—Finished: none.
In Work: "The Lone Wolf Strikes Back."
Started: "Five Little Peppers Midway," "Daughters of Today."
Goldwyn—In Work: "The Westerner."
Monogram—Started: "Mr. Wong at Headquarters."
Paramount—Finished: "Man from Bar 20."
In Work: "The Biscuit Eater," "Buck Benny Rides Again," "Safari," "At Good Old Siwash," "The Way of All Flesh."
RKO—Finished: "Vigil in the Night," "Swiss Family Robinson," "Saint's Double Trouble."
In Work: "The Marines Fly High," "The Primrose Path."
Started: "Irene," "Little Orvie," "Glamour Boy No. 2," and "Bullet Code."
Republic—Started: "The Wolf of New York." "Dark Command."
Rcach—Finished: "Two's Company."
In Work: "1,000,000 B. C."
Small—Started: "My Son, My Son!"
20TH Century-Fox—Finished: "Young As You Feel."
In Work: "Shooting High."
Wanger—Finished: "The House Across the Bay."
Warners—In Work: "Virginia City," "The Life of Dr. Ehrlich," "We Shall Meet Again," "And It All Came True."
Universal—In Work: "Charlie McCarthy, Detective," "My Little Chickadee," "Oh, Johnnie, How You Can Love."

Chance Games Are Gambling in Canada

OTTAWA, Dec. 4.—The Canadian Government cannot do anything in the way of permitting wide-open chance game competitions because the amendments to the Criminal Code adopted by Parliament in 1938 have placed chance games in the category of gambling. A conviction lists the premises where such games are played as common betting houses with resultant restrictions.

Mayor W. G. Jackson of New Toronto, in seeking reelection for 1940, announced that he would remove the chance game lid if he were returned to office. Gordon Conant, Attorney-General for Ontario, has also spoiled the platform of the New Toronto mayor by announcing that he cannot give special permission for the gambling except on rare occasions when a church wants to indulge in the name of charity.

Hits Preview Abuses

LOS ANGELES, Dec. 4.—General sales managers of distributing companies today were asked in a letter by Robert H. Poole, executive director of the I.T.O. of Southern California, to eliminate commercialized previews and abuses of moveover policies. Poole, writing to New York executives, declared distributors were in accord at the time that industry trade practice code was being drawn that abuses as practiced in this territory should be eliminated.

Seeks Reelection

Charles Kielhurn, New York business agent of local 306, announced his candidacy for re-election at a meeting of the Circle Club, projectionists fraternal organization. Local 306 holds a nomination meeting Wednesday night at the Manhattan Opera House.

Rodgers Confirms 'Wind' Terms, 'Profit Protection'

(*Continued from page 1*)

tion. Its cost already exceeds the national gross of the most successful picture released in years.

"After seeing it I am of the firm opinion it justifies every cent expended. It is approximately 20,000 ft. in length, and will consume showing time of about three hours and forty minutes, not counting intermission, and will not be cut whether for first or subsequent run showing. The same version will be seen in Roanoke Rapids as is seen in Atlanta or New York City.

"'Gone With the Wind' will be shown at advanced prices at least until 1941. It will be offered to our customers, who will charge the advanced admission prices, and the terms to all, large and small alike, are 70 per cent.

"We do recognize that a theatre, operating on this basis, is entitled to protection against declining grosses on an extended run engagement and is furthermore expected to make a fair profit.

"For that reason, where theatres are willing to charge the admission prices we ask, and will give the picture the extended time it deserves, we will agree (where expense figures can be agreed upon and if such exhibitors so desire) that they will make as a minimum 10 per cent of the theatre's gross of this picture as profit, regardless of what they have been in the habit of making or losing on other pictures."

Kuykendall Assails 'Half Promises, Deception"

CHARLOTTE, Dec. 4.—Exhibitors, regardless of organizational affiliation, should unite their efforts in order to compel distributors to grant fair trade practice concessions, Ed Kuykendall, M.P.T.O.A. president, told the convention of the T. O. of North and South Carolina at the Hotel Charlotte here today.

Kuykendall declared that not only does it appear that some distributors will refuse to grant any trade practice concessions but others have evidenced an inclination to qualify the exhibitor's exercise of the new cancellation right in such a way that he will be unable to avail himself of the full 20 per cent ostensibly offered by the distributor.

"We cannot make half-promises and continue with deceptive tactics and still hope to avoid drastic governmental interference with the industry," Kuykendall warned.

He urged all distributors to put into effect immediately everything which had been proposed in the industry trade practice code of last Summer, despite the attitude of the Department of Justice.

Kuykendall assured the meeting that in his opinion the Government's anti-trust suits, even if won by the Department of Justice, "will bring exhibitors very little relief."

The M.P.T.O.A. head said that exhibitors should "accept as a fact" that there will be a shortage of product in time as a result of depleted producer revenue from world markets and urged them to conserve the better box office attractions now by giving them extended playing time, in order to have an unused backlog of product to resort to when the pinch begins to be felt.

No Sunday Shows

Toronto, Dec. 4.—The Lord's Day Alliance of Canada has drawn a fine distinction in raising objection to the advertising of Sunday midnight shows and has notified theatres that the advertising of Sunday shows is an offense under the Lord's Day Act. The midnight performances actually are held after midnight Sunday. Circuits and independents have agreed to eliminate the word "Sunday," as inferring that the shows are to be held on the prohibited day.

Exchange Employes Union Re-Elects All

All officers of New York local, B-51, Film Exchange Employes Union, were re-elected for the third consecutive term last night at the Capitol Hotel. Of about 300 members, 236 voted.

Officers are: President, Lou Johnson, Metro; vice-president, Lew Braun, Paramount; financial secretary-treasurer, David Newman, Warners; recording and corresponding secretary, Gerard Lee, Metro; sergeant - at - arms, August Kubart, Metro.

The following eight won trustee positions out of a field of 17; Carman George, Metro; Leonard Brooks, Warners; Rubin Beloff, Fox; Selig Epstein, RKO; Victor Petitto, Columbia; Harry Newman, United Arternal organization. Local 306 holds a Frank Gollotto, Universal.

Elected as trustees were Irving Damrauer, Columbia; Rose Gunty, RKO, and Ben Block, Warners.

Chicago Demands Early 'Wind' Date

CHICAGO, Dec. 4.—With newspapers, theatre offices and exchange officials barraged with questions as to when "Gone With the Wind" would open here, negotiations for the Chicago showing are scheduled to start immediately.

It is understood that the picture will get a break here early in January at the latest to avoid criticism similar to that which greeted the "In Old Chicago" premiere here following New York and other openings.

Pathe Laboratories To Get Coast Firm

(*Continued from page 1*)

cently created by stockholders of International Cinema which underwent reorganization under the Federal bankruptcy act, will be exchanged for that of the new Pathe corporation. Under the agreement, Pathe will get a majority of the stock for recapitalizing the laboratory and making improvements.

No change in the personnel, headed by Marvin Travis, president of Cinema Laboratories, is contemplated at present.

Notes on Radio Personalities And Programs

Gillette Safety Razor Co. will sponsor the Orange Bowl football game on Jan. 1, and CBS will carry it exclusively.

"The Old Fashioned Revival," sponsored by Gospel Broadcasting Association, has been renewed over Mutual for 52 weeks, effective Dec. 31. The show has been on the network since Sept., 1937. It is heard over 40 Mutual stations from 9 to 10 P.M., Sundays.

Cummer Products will replace the "Paul Wing's Spelling Bee" show on Jan. 26 with a quiz program, "What Would You Do?" The show will shift from NBC-Red to 42 stations on the Blue.

Arthur Chapman has been named trade press representative in the NBC publicity department, replacing Arthur Donegan who moved into Ben Pratt's post as head of Blue publicity when the latter resigned to take charge of publicity for Thomas E. Dewey's presidential campaign.

WNEW will carry the award of the Lambert trophy to the Cornell football team at Dempsey's restaurant at 8 tonight. Chick Meehan will act as toastmaster and Col. John Reed Kilpatrick will deliver the address of welcome.

WOR acquired another tobacco account yesterday when Larus & Bro. Co., Inc., signed a 52-week contract on behalf of Edgeworth tobacco and Domino cigarettes. The show, "Mammoth Minstrel Variety," will be an electrical transcription of a live show broadcast from WRVA, Richmond. It will be heard over WOR, Tuesdays at 10:30 P.M., starting tonight.

First Drop in Mutual Billings in 19 Months

For the first time in 19 months, Mutual's gross billings during November fell below the corresponding month in the previous year. Billings were $327,045 for November, as compared with $360,929 in November, 1938, a drop of 10.4 per cent. Totals for the first 11 months, however, are well ahead of the same period last year. Thus far, Mutual has grossed $3,012,083, a rise of 16.6 per cent over the 1938 figure of $2,582,955.

Rebroadcast Minus Use of Phone Lines

HARTFORD, Dec. 4. — Rebroadcast without telephone lines of programs sent from frequency modulated stations was demonstrated at WDRC here yesterday. Major E. H. Armstrong, inventor of frequency modulation, declared that the experiment was forerunner of network broadcasting by the new method. W2CR, Yonkers, transmitted the original program which was picked up by W2MN, Alpine, and W1XPW, the WDRC station.

Famous Sets Dividend

TORONTO, Dec. 4.—Famous Players Canadian Corp. has declared a quarterly dividend of 25 cents per share on the common stock payable Dec. 29.

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 110 NEW YORK, U. S. A., WEDNESDAY, DECEMBER 6, 1939 TEN CENTS

Balaban Calls Ad Budget Up To Aid Films

$500,000 Added to Benefit Domestic Market

HOLLYWOOD, Dec. 5.—In order to develop the domestic market more intensely, Paramount is increasing its expenditures for newspaper and magazine advertising, President Barney Balaban announced today.

Several hours prior to his departure with Stanton Griffis, Russell Holman and John W. Hicks, Balaban declared that Paramount had increased by $500,000 its advertising outlay in the last few months as compared with any previous period.

Pointing out problems created by shrinking world markets, increased production costs resulting from labor demands and other "uncontrollable items," Balaban said in part:

"Experience has taught us that newspaper and magazine advertising, plus intelligent exploitation, brings the biggest returns for both the studio and our exhibitors, particularly under the newly-adopted policy which assures

(*Continued on page 8*)

Cameraman Tells Of War Hardships

Strict military censorship of newsreels and difficulties in getting the films out of restricted zones to ships or clippers for transport to America were encountered first-hand by Neil Sullivan, Pathe News cameraman, who returned from Western Europe yesterday on the *Staatendam*.

Sullivan was successful in salvaging

(*Continued on page 6*)

Majors Delay U. S. Trust Suit Queries

The interrogatories which six additional major companies plan to serve on the Government in connection with the New York anti-trust suit will not be served for another day or two, counsel for the company defendants stated yesterday.

Although no explanation of the delay in serving the interrogatories was forthcoming, it was assumed that the form of the questions may have been revised since Paul Williams, special assistant to the U. S. Attorney Gen-

(*Continued on page 6*)

RKO, Atlas Speed Cash Talks, Await High Court Ruling

Discussions between the RKO board of directors and officials of Atlas Corp. on the new proposal of the latter to underwrite $1,500,000 of reorganized RKO's common stock may be completed by the end of the week, it was indicated yesterday.

The present aim of both sides is to make possible the submission to the board by Atlas of a new offer on Monday, so that the board may take immediate action on the proposal in the event the U. S. Supreme Court refuses the application of H. Cassel & Co. for a writ of certiorari attacking the legality of the RKO reorganization plan.

Action on the appeal is expected from the high court on Monday. In the event the court denies the Cassel petition, it is believed the RKO board will act at once on acceptance of the offer. Once approved by the board the offer will be cleared for immediate court hearings in the hope of winding up the reorganization of RKO early in the New Year.

The RKO board discussed the basis for the new underwriting offer on Monday and may have a final meeting on the proposal tomorrow or Friday. A final draft of the offer would be submitted to the board immediately thereafter for action.

At a hearing on the reorganization before Federal Judge William Bondy yesterday, H. C. Rickaby, Atlas coun-

(*Continued on page 6*)

Publicists in Wage Showdown Today

Hollywood, Dec. 5.—Affiliation of the Screen Publicists Guild with the I.A.T.S.E. appears a certainty if the producers fail to sign a recently-negotiated contract covering wages and working conditions.

The Guild, comprising a majority of publicity men on virtually all major lots, is awaiting the distribution of checks, due tomorrow night, to see whether they include wage increases retroactive to Oct. 9.

If the pay checks exclude these increases, a mass meeting of the Guild will be called for final settlement of the affiliation question.

U.S. Charges Draw Denials at Chicago

CHICAGO, Dec. 5.—Contending that the Federal government has failed to prove any of its charges of consent decree violations, Balaban and Katz and the major film companies today filed briefs answering the U. S. charges.

Two separate briefs were filed—one by counsel for Loew's, Twentieth Century-Fox, United Artists and Vitagraph, the other by attorneys for Paramount-B. & K. and Barney Balaban. Charges against Universal and

(*Continued on page 8*)

Majors Allow 10% More Pay For 3 Unions

Two More Internationals Allowed in Basic Pact

ATLANTIC CITY, Dec. 5.—Approval of a 10 per cent wage increase for three International unions and admission of two more Internationals into the five-year basic agreement featured today's five-and-a-half-hour meeting between producer and labor representatives.

The wage boost, becoming effective next payday, was given to studio employes of the International Brotherhood of Electrical Workers, International Brotherhood of Teamsters and Chauffeurs, and the International Brotherhood of Carpenters and Joiners.

The American Federation of Musicians, fourth signatory of the current basic agreement, did not make any request for an upward revision of salaries. Joseph Weber, president, attended the session as an observer.

Inclusion of the International Brotherhood of Plasterers and the International Brotherhood of Laborers in the basic agreement was voted,

(*Continued on page 8*)

New Copyright Act Seen Ready Dec. 14

The Shotwell committee on copyright, which includes representatives of film, publishing, music and stage industries, expects to complete a final draft of its new copyright legislation at its next meeting, Dec. 14, it was stated yesterday following a session of the committee.

The legislation, when completed,

(*Continued on page 8*)

U.A. Completes All West Circuit Deals

L. J. Schlaifer, vice-president in charge of United Artists western sales, returned yesterday from a western trip, during which he signed five major circuit deals. They complete the circuit selling of U. A. product in the west for 1939-'40.

The five circuits are: Balaban & Katz, Chicago, 70 houses; Great States Circuit, Chicago, 35 houses; Publix Intermountain, Salt Lake City; McNeil-Naify Theatres, San Francisco, 70 houses; Blumenfeld Theatres, California.

Potter Expects N. Y. Critics To Join National Film Poll

Merle Potter of the Minneapolis *Times-Tribune*, one of the leaders of the Newspaper Film Critics of America, expects that the New York Film Critics will participate in the N. F. C. A. poll on the year's film "bests" despite the local group's rejection of affiliation with the national organization.

Potter, who arrived yesterday from Minneapolis, points out that the New York critics, while conducting their own poll since 1935, have voted in the annual canvass which he conducted for the Minneapolis *Journal*. Before leaving tomorrow, he will confer with members of the New York group to obtain their views with regard to participation in the national selections.

The N. F. C. A. plans to make its

(*Continued on page 8*)

Treated 15 Years, Critic Fetes Trade

When a newspaperman throws a party to show his appreciation to theatre men and press agents, that's news. Monday night Merle Potter was host at a clambake at the Variety Club in Minneapolis. The *Times-Tribune* critic imported six bushels of clams from Boston. "The theatre and film men of Minneapolis have been treating me for 15 years," said Potter. "I thought it was about time I reciprocated."

Loew's Adds To Its Boston House Stock

WASHINGTON, Dec. 5.—Loew's, Inc., ran its holdings of Loew's Boston Theatres common stock over the 100,000-share mark in October with the acquisition during the month of 258 shares to bring its total to 100,203 shares, it was disclosed today in the semi-monthly summary of the Securities and Exchange Commission.

A number of comparatively small transactions in film stocks were reported in the summary, the largest being the disposition by Joseph M. Schenck, board chairman, of 3,000 shares of 20th Century-Fox preferred stock, reducing his holdings in that class to 15,284 shares.

Disposition of 1,700 shares of Trans-Lux Corp. common stock was reported by H. P. Farrington, New York, reducing his holdings to 100 shares.

In Universal Corp., William Freiday, director, reported the liquidation of his holding company by the transfer of 1,500 common voting trust certificates to his own name, and the acquisition of 100 certificates, giving him a total of 2,900, and Nathan J. Blumberg, president, reported the acquisition of 800 certificates, bringing his holdings to 4,000.

Other transactions reported included the disposition by Thomas P. Loach, treasurer, of seven shares of Pathe Film common stock, reducing his interest to 11 shares, and the acquisition by Robert W. Perkins of 500 shares of Warner Brothers common stock, representing his total holdings.

A report on the holdings of securities in companies of which they have been elected officers or directors, filed for Hugh G. Davis, elected an officer in Monogram Pictures Oct. 4, showed no stock ownership.

Belated reports filed by Paul W. Keston, officer in Columbia Broadcasting System, showed the acquisition in August of 1,000 shares of Class A stock, bringing his interest to 1,744 shares, together with 300 shares of Class B acquired in April. Lawrence W. Lowman, officer, reported the disposition in October of 274 shares of Class A stock, reducing his holdings to 3,794 shares.

Roosevelt Leaves For Coast Parleys

James Roosevelt, vice-president of Samuel Goldwyn, Inc., left for the Coast yesterday to confer there on his future plans.

Prior to his departure, Roosevelt was non-committal on reports linking him with a new independent production venture for major company release.

Max Lee Services Held

Funeral services were held Monday for Max Lee, 76, father of Joe Lee, manager of the 20th Century-Fox New York exchange. Burial was at the Beth David Cemetery, Elmont, L. I. Lee died Sunday after a heart attack. Dan Lee, manager of the Roosevelt, Union City, N. J., and Peter Lee, sons, and Sarah Kammer, a daughter, also survive.

Purely Personal

ALEXANDER KORDA arrives from Hollywood by plane Thursday morning. He will leave for London via Lisbon, Portugal, on the *Dixie Clipper* Sunday.

•

JOE MILLER and ARTHUR NEWMAN, Columbia and Republic branch managers, have returned from Cooperstown, N. Y., where they called on WILLIAM SMALLEY, circuit operator.

•

ELSA MAXWELL, in Cincinnati to stage a charity party at the Hotel Netherland Plaza, leaves for Troy, O., to fill a speaking engagement, from where she will go to Hollywood.

•

S. BARRET MCCORMICK, RKO advertising and publicity director, was in Washington yesterday conferring with HARDIE MEAKIN of B. F. Keith's Theatre.

•

GEORGE TUCKER, RKO salesman at Albany, has returned to headquarters after a two-week swing through the northern tip of New York State.

•

SID STOCKTON, M-G-M office manager at Albany, has left on a two-week vacation to Washington, Roanoke, Va., and New York.

•

ANNA STEN arrived from Hollywood yesterday. She was met by her husband, DR. EUGEN FRENKE, producer-director.

•

ROBERT SCHLESS, Warners general manager in Europe, arrives today in Stockholm from Copenhagen on a tour of branches.

•

WILLIAM KENNEDY, Rouses Point and Ausable Forks exhibitor, is recuperating following a recent operation.

•

HOWARD HAWKS, Columbia director, will arrive from Hollywood this morning for a brief stay here.

•

J. CHEEVER COWDIN, Universal board chairman, arrived from the Coast by plane last night.

•

CHARLES GARRETT, manager of foreign exchange operations for Monogram, is ill with the grippe.

•

WALTER READE, JR., has returned to New York after a trip to the Albany exchanges.

•

MILTON YEOMAN, Universal auditor, is in the company's Albany branch for the week.

•

JOHN D. HERTZ, JR., left by plane for Akron yesterday. He will be gone two days.

•

MRS. RUTGERS NEILSON, wife of the RKO publicity manager, is very ill.

•

TILLY LOSCH arrived on the *Staatendam* yesterday.

Sunday Film Arrests

DANVILLE, Va., Dec. 5.—Sunday shows resulted in the serving of warrants on four local managers, who were charged with violating the state's Sunday observance law and ordered to appear in Police Court Dec. 8. The four are Fleet Robinson, Charles L. Abercrombie, Ben F. Smart and Clyde Wooten, Jr.

MR. and MRS. ARTHUR LOEW are flying to Kingston, Jamaica, on Thursday to spend a week in the West Indies.

•

SIDNEY KINGSLEY, RUSSELL CROUSE, ARTHUR LOEW, SAM SHAIN, DON GIBBS, OSCAR SERLIN, MONROE GREENTHAL, GEORGE WOODS, ROBERT WEITMAN, CHARLES CASANAVE, PAUL RADIN, MARTIN BECK and ED WYNN at Sardi's for lunch yesterday.

•

EDGAR BLUMSTEIN, son of ABE BLUMSTEIN, salesman at the 20th Century-Fox New York exchange, and BERNICE HEINEMAN of Mt. Vernon will be married in that city Sunday.

•

S. R. KENT, president of 20th Century-Fox, and CHARLES E. MCCARTHY, advertising and publicity director, leave for the studio Friday.

•

JESSE LASKY arrived on the United Airlines' *Mainliner* from Los Angeles last night. He will return to the Coast Friday.

•

WILLIAM S. CUNNINGHAM, theatre editor of the Columbia, O., *Citizen*, is in Hollywood on a business and pleasure trip.

Hammons in R. F. C. Loan Report Today

Earle W. Hammons, president of Grand National Pictures, will meet creditors of the company today shortly before a scheduled hearing before Referee Peter B. Olney, Jr., to report to them on his efforts to secure an R.F.C. loan, it was learned yesterday.

The creditors' committee for the company was advised on Monday, its counsel said, that Hammons hoped to report "concrete results." Hammons also told the committee that he expected to raise a $1,000,000 production fund to aid the company in extended activities after reorganization.

Paramount Dinner Host

Paramount played host last night at a party in honor of the Paramount opening of "The Great Victor Herbert," at Luchow's Restaurant on 14th St. Present as guests of honor were Mary Martin, Walter Connolly and Allan Jones, stars of the film, with Gene Buck as toastmaster and Johnny Green's orchestra supplying the music.

Riskin to Quit Columbia

HOLLYWOOD, Dec. 5.—Everett Riskin, Columbia associate producer, is expected to sever his connection with the company on the expiration of his contract in February, to announce a new affiliation.

Sets Christmas Bonus

RICHMOND, Va., Dec. 5.—Benjamin T. Pitts, circuit operator, has announced that a Christmas bonus of one week's salary will be given to his employes on Dec. 16.

Hold Rites for Duge

BUFFALO, Dec. 5.—Funeral services for Charles Duge, 80, well known theatre musician here for years, were held yesterday in Forest Lawn Chapel.

Brandt, on Coast, Assails Neely Bill

HOLLYWOOD, Dec. 5.—Harry Brandt is here. His first utterance on arrival was:

"Ninety per cent of the exhibitors don't know what the Neely Bill is all about."

The head of the I.T.O.A. of New York City will speak to exhibitors invited to hear him on Friday night at the Victor Hugo restaurant, Beverly Hills. Y. Jack Berman, I.T.O. of California and Arizona board member, has sent about 60 telegraphed invitations to theatre men to come to the meeting.

Brandt intends to talk on the Neely Bill and also his recent meeting with Attorney General Frank Murphy in Washington. Brandt revealed that he has been trying to resign as head of the New York I.T.O.A. for seven years, but that something always arises to prevent him from doing it.

"The Neely Bill is great cause for worry," said Brandt, "since its passage will stultify the industry. The motion picture industry is a business of intelligent men and should not be made subject to Governmental regulation."

Brandt expects to talk to studio chieftains while he is here and made it known that he will "co-operate to the fullest extent" with Mayor La Guardia's projected production plans in the East upon his return there.

Legit Theatres Vote Fund to Boost Trade

The League of New York Theatres has set aside a budget of $2,500 from the enforcement fund of the ticket code to be used for attracting new audiences to the legitimate stage.

At a council meeting yesterday, Actors Equity appointed a committee to cooperate with the League in this endeavor. Paul N. Turner, counsel, Maida Reade, Winifred Lenihan, Alfred Harding and Beverly Bayne constitute the committee with Frank Gilmore, president of Associated Actors and Artistes of America, acting *ex officio*.

The council also named its delegates to the code enforcement authority. They are Paul Dullzell, executive secretary, and Miss Lenihan, with Walter N. Greaza and E. J. Blunkall as alternates.

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'Drums' Loop Big Grosser With $48,000

CHICAGO, Dec. 5.—"That's Right, You're Wrong," at the Palace took $20,600, "Drums Along the Mohawk," $48,000 at the Chicago, and "Disputed Passage" $12,000 at the Roosevelt. Unsettled weather could not hurt Rong business.

Estimated takings for the week ending Nov. 30-Dec. 5:

"Mr. Smith Goes To Washington" (Col.)
APOLLO—(1,400) (25c-55c-75c) 7 days, 3rd week. Gross: $11,700. (Average, $6,000)
"Drums Along The Mohawk" (20th-Fox)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Dick Powell and Revue. Gross: $48,000. (Average, $32,000)
"Jamaica Inn" (Para.)
GARRICK—(900) (35c-40c-65c) 7 days. Gross: $4,700. (Average, $5,000)
"Legion of Lost Flyers" (Univ.)
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage "Swing Mikado." Gross: $16,200. (Average, $13,000)
"That's Right, You're Wrong" (RKO)
"Call A Messenger" (Univ.)
PALACE — (2,500) (35c-55c-75c) 7 days. Gross: $20,600. (Average, $12,000)
"Disputed Passage"
ROOSEVELT—(1,300) (35c-55c-75c) 7 days. Gross: $12,000. (Average, $11,000)
"Those High Grey Walls" (Col.)
STATE-LAKE — (2,700) (25c-35c-40c) 7 days. Stage: Tobey Wing, Marie Wilson and Faith Bacon and Rita Rio's Band. Gross: $20,500. (Average, $12,000)
"Marx Bros. at the Circus" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 2nd week. Gross: $7,700. (Average, $14,000)

'That's Right' Hits $15,000, Cincinnati

CINCINNATI, Dec. 5.—"That's Right, You're Wrong" led the field with a smash $15,000 at the RKO Palace, with "Ninotchka" the runner-up on a $14,500 gross. Ted Weems' orchestra and "Little Accident," on the screen, accounted for $13,500 at the RKO Shubert.

Estimated takings for the week ending Nov. 29-Dec. 2:

"Ninotchka" (M-G-M)
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $14,500. (Average, $12,000)
"That's Right, You're Wrong" (Univ.)
RKO PALACE—(2,700) (35c-42c) 7 days. Gross: $15,000. (Average, $10,000)
"Little Accident" (Univ.)
RKO SHUBERT—(2,150) (40c-60c) 7 days. Stage: Ted Weem's orchestra and acts. Gross: $13,500. (Average, $10,000)
"First Love" (Univ.)
RKO CAPITOL—(2,000) (35c-42c) 7 days, 2nd week. Gross: $4,800. (Average, $6,500)
"Drums Along the Mohawk" (20th-Fox)
RKO LYRIC—(1,400) (25c-40c) 7 days, 2nd week. Gross: $4,900. (Average, $5,000)
"Rio" (Univ.)
"Torchy Plays With Dynamite" (W. B.)
RKO FAMILY—(1,000) (15c-25c), 4 days. Gross: $1,300. (Average, $1,500)
"One Hour to Live" (Univ.)
"Parents On Trial" (Col.)
RKO FAMILY—(1,000) (15c-25c) 3 days. Gross: $700. (Average, $900)
"The Secret of Dr. Kildare" (M-G-M)
KEITH'S—(1,500) (30c-40c) 7 days. Gross: $5,500. (Average, $6,000)

20th-Fox Schedule Nearing Completion

HOLLYWOOD, Dec. 5. — All of the 20th Century-Fox 1939-'40 schedule will be in work by Jan. 15. Five films have been completed recently, and the remaining 15 are in preparation.

The five most recently completed are "The Grapes of Wrath," "The Blue Bird," "Swanee River," "Everything Happens at Night" and "Little Old New York."

New York Reviews

"The Devil Is An Empress"

(*Columbia*)

There is considerable dramatic power in this French production, made by La Compagnie Francaise Cinematographique, in Paris, and released in this country by Columbia Pictures.

Conrad Veidt offers his usually splendid type of performance as the Polish baron, maker of life-like automatons, who sacrifices his life that two young lovers may escape the dreaded Catherine II of Russia. The empress is portrayed with intelligence and skill by Francoise Rosay, while Micheline Francey and Paul Cambo are the young Polish patriots and lovers.

The film was directed admirably by Jean Dreville, from the story, "The Chess Player of Vilna," by H. Dupuy-Mazuel. English subtitle translations of the French dialogue make for ready understanding of the plot structure. The film perhaps will find its readiest market among those audiences which are interested in the better foreign importations.

Veidt, taking care of the two young Polish patriots, because the mother of the girl had asked him to protect her before she died, hides the young man when he is wounded in an outbreak against Catherine's rule. He places him inside an automaton representing a chess player, but Catherine calls it to be brought to her. She orders it shot, and Veidt takes the young man's place after arranging their escape.

Running time, 73 minutes. "A"* CHARLES S. AARONSON

*"A" denotes adult classification.

"Cowboys from Texas"

(*Republic*)

The Three Mesquiteers, Bob Livingston, Raymond Hatton and Duncan Renaldo, find themselves in the midst of a feud between Texas cattlemen and homesteaders in "Cowboys from Texas." President Theodore Roosevelt's signing of the Reclamation Act opens new land to the homesteaders and the ranch owners are resentful of their invasion.

Added to this situation is a dishonest Government agent, Ivan Miller, who is in league with a woman proprietor of a gambling parlor, Betty Compson, to create further friction and thus obtain the Government lands for themselves.

The action is enlivened by several bar room brawls, Livingston's portrayal of a masked rider, and a pitched battle between the homesteaders and cattlemen. Carole Landis adds a romantic touch as the daughter of Charles Middleton, leader of the newcomers.

Harry Grey produced and George Sherman directed. The original screenplay was prepared by Oliver Drake.

Running time, 57 minutes. "G"* EDWARD GREIF

*"G" denotes general classification

Boston Sunday Law Hits New Year Show

BOSTON, Dec. 5.—Boston has a municipal law requiring all film houses to close at 11 o'clock on Sunday night. The City Censor has been petitioned to suspend the law on the evening of Dec. 31 so that the late evening show can run until midnight, for the New Year's Eve celebration.

Set 'Harvest' on Coast

First Coast showing of "Harvest" has been set for the Esquire, Los Angeles, on Christmas Eve, according to the French Cinema Center, Inc., distributor.

'Katia' at Carnegie

"Katia," French film starring Danielle Darrieux, will have its American premiere Dec. 22 at the Little Carnegie Playhouse. Arthur Mayer and Joseph Burstyn are the distributors.

Opens Frisco Office

Coast Pictures Corp., Los Angeles, has opened a branch office in San Francisco with Dave Nathanson in charge. Coast is an affiliate of J. H. Hoffberg.

'Thin Man' Draws $17,000 in Buffalo

BUFFALO, Dec. 5.—"Another Thin Man" was best here in a good week, ringing up $17,000 at the Buffalo. "The Roaring Twenties" did a good $9,900 at the Great Lakes.

Estimated takings for the week ending Dec. 2:

"Another Thin Man" (M-G-M)
BUFFALO—(3,000) (20c-35c-55c) 7 days. Gross: $17,000. (Average, $12,000)
"The Roaring Twenties" (W. B.)
"Kid Nightingale" (W. B.)
GREAT LAKES—(3,000) (30c-50c) 7 days. Gross: $9,900. (Average, $7,500)
"Pack Up Your Troubles" (20th-Fox)
"20,000 Men A Year" (20th-Fox)
HIPPODROME—(2,500) (25c-35c) 9 days. Gross: $5,700. (Average, $6,800)
"That's Right, You're Wrong!" (RKO)
"Sued For Libel" (RKO)
TWENTIETH CENTURY—(3,500) (30c-40c) 7 days. Gross: $8,000. (Average, $6,800)
"First Love" (Univ.)
"Hero For A Day" (Univ.)
LAFAYETTE—(3,300) (25c-35c) 7 days. Gross: $7,500. (Average, $6,300)

Cooper Club Manager

SEATTLE, Dec. 5.—Joseph Cooper has been appointed manager of the Northwest Film Club here. He was formerly advertising manager of the Orpheum, and more recently has been doing advertising and publicity work for independent exchanges.

'Thin Man' Is Seattle Best, Pulls $8,000

SEATTLE, Dec. 5.—"Another Thin Man" and "Bad Little Angel" took a strong $8,900 at the Paramount. "Mr. Smith Goes to Washington" scored $6,200 in the fourth week at the Liberty. The weather was wet. Concerts comprised the competition.

Estimated takings for the week ending Dec. 1:

"Drums Along the Mohawk" (20th-Fox)
BLUE MOUSE—(950) (25c-40c-55c) 7 days, 2nd week. Gross: $3,000. (Average, $4,000)
"Day-Time Wife" (20th-Fox)
"20,000 Men A Year" (20th-Fox)
FIFTH AVENUE—(2,500) (25c-40c-55c) 7 days. Gross: $6,500. (Average, $7,000)
"Mr. Smith Goes to Washington" (Col.)
LIBERTY—(1,800) (25c-40c-55c) 7 days, 4th week. Gross: $6,200. (Average, $5,000)
"The Cat and the Canary" (Para.)
"Fast and Furious" (M-G-M)
MUSIC BOX—(950) (25c-40c-55c) 7 days, 2nd week. Gross: $3,300. Average, $4,000)
"Rulers of the Sea" (Para.)
"Here I Am a Stranger" (20th-Fox)
ORPHEUM — (2,450) (25c-40c) 7 days. Gross: $5,850 (Average, $6,000)
"We Are Not Alone" (W. B.)
PALOMAR—(1,500) (25c-35c-40c) 7 days. Vaudeville headed by Arnie Hartman. Gross: $5,000. (Average, $5,000)
"Another Thin Man" (M-G-M)
"Bad Little Angel" (M-G-M)
PARAMOUNT—(3,050) (25c-40c) 7 days. Gross: $8,900. (Average, $6,000)

'Ninotchka' $11,000 New Haven Leader

NEW HAVEN, Dec. 5.—"Ninotchka," dualed with "20,000 Men a Year" took $11,000 at the Loew-Poli. "Tower of London" and "News Is Made at Night" took $5,000 at the Paramount in nine days.

Estimated takings for the week ending Dec. 1:

"At the Circus" (M-G-M)
"U-Boat 29" (Col.)
COLLEGE—(1,499) (35c-50c) 7 days, 2nd week. Gross: $2,800. (Average, $2,700)
"Ninotchka" (M-G-M)
"20,000 Men a Year" (20th-Fox)
LOEW-POLI—(3,040) (35c-50c) 7 days. Gross: $11,000. (Average, $8,000)
"Tower of London" (Univ.)
"News Is Made at Night" (20th-Fox)
PARAMOUNT—(2,348) (35c-50c) 9 days. Gross: $5,000. (Average, $4,000)
"We Are Not Alone" (W. B.)
"Smashing the Money Ring" (F. N.)
ROGER SHERMAN—(2,200) (35c-50c) 7 days. Gross: $5,300. (Average, $5,000)

'First Love' Does $18,000 in Detroit

DETROIT, Dec. 5.—"First Love" and "20,000 Men a Year" garnered $18,000 at the Fox. The Thanksgiving Day observance Nov. 23 and settlement of the Chrysler strike increased business.

Estimated takings for the week ending Nov. 30:

"Drums Along the Mohawk" (20th-Fox)
"Stop, Look and Love" (20th-Fox)
ADAMS—(1,700) (15c-40c) 7 days. Gross: $5,100. (Average, $5,000)
"The Old Maid" (W. B.)
"Four Feathers" (U. A.)
FISHER—(2,700) (15c-55c) 7 days. Gross: $5,000. (Average, $5,000)
"First Love" (Univ.)
"20,000 Men A Year" (20th-Fox)
FOX—(5,000) (20c-55c) 7 days. Gross: $18,000. (Average, $12,000)
"The Private Lives of Elizabeth and Essex" (W. B.)
"Bad Little Angels" (M-G-M)
MICHIGAN — (4,000) (15c-65c) 7 days. Gross: $11,000. (Average, $10,000)
"Rulers of the Sea" (Para.)
"Remember" (M-G-M)
PALMS—(3,000) (15c-50c) 7 days. Gross: $5,000. (Average, $5,000)
"Another Thin Man" (M-G-M)
UNITED ARTISTS—(2,000) (15c-55c) 7 days. Gross: $10,000. (Average, $10,000)

CHRISTMAS BUSINESS!





Christmas is
laughing time—
M-G-M is the one company
that has the happy show
that's swell for the whole family.
Screen "JUDGE HARDY & SON"
and you'll see that
it's the *best* of the series!
Perfectly timed for profits!
Simultaneous holiday bookings
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READERSHIP
27,985,612
Full pages in
Saturday Evening
Post, Life,
Collier's

NEW YEAR'S BUSINESS!





New Year's Hit 1938—"Rosalie"
New Year's Hit 1939—"Sweethearts"
New Year's Hit 1940—"BALALAIKA"
M-G-M knows that the New Year's crowds want gayety, music, laughter!
There never has been a greater holiday attraction than rousing, romantic "BALALAIKA"
No other company has available such a gala, gorgeous screen celebration!
It's booked nationwide! Watch!

NATIONAL AD CAMPAIGN READERSHIP 50,411,083
Full pages in Ladies' Home Journal, Woman's Home Companion, McCall's, Cosmopolitan, American, Redbook

U. S. to Make Films In Britain Despite War Barriers—Rose

The British Government will cooperate with American producers to the extent that good pictures made in England will not suffer through a lack of either talent or technical workers, David Rose, British production head for Paramount, said on his arrival here yesterday on the *Staatendam*.

Rose expressed the belief that, while difficulties not encountered in peace time may confront the American producer in England, it will be both possible and practical to make good pictures there during the war. He added that Paramount has decided definitely to resume production abroad early next year.

Rose will remain in New York to confer with Barney Balaban, Paramount president, who will arrive from Hollywood on Friday. He will go to the Coast early next week for further conferences with Y. Frank Freeman, studio head, and William Le Baron, production head, to complete plans for the company's British production in the light of Paramount's new production schedule.

Rose plans to leave New York between Jan. 10 and 15 on his return to Europe.

Push Fight to Obtain Financial Support

LONDON, Dec. 5.—The Films Council today took the first important step toward reestablishing British production on a wartime basis.

A committee was appointed to study the situation immediately, especially regarding financing, and to determine whether money for production should come from the Board of Trade directly, or through London's financial houses. The Board of Trade, it is understood, is determined to provide financial backing, either directly or indirectly. Financial experts will sit in with trade representatives.

The committee is composed of D. E. Griffiths, Arthur Jarratt, Capt. Richard Norton, George H. Elvin, secretary of the Association of Cine Technicians; Professor Arnold Plant, Sir Frederick Whyte, chairman of the council, and one other financial authority not yet selected. It has been assured that American companies will continue British production.

Odors with Films! New Development

Besides seeing and hearing films, audiences in the future will be able to "smell" them as well.

A fragrant film, yielding a variety of 4,000 odors, was successfully demonstrated for the first time recently at Berne, Switzerland, according to a radio broadcast picked up from Germany in New York. Newspaper men witnessed the demonstration.

When roses appear on the screen, for example, the perfume of fresh roses fills the theatre through what are called "smell aerials." The odor changes automatically to whatever is shown on the screen.

RKO, Atlas Speed Cash Negotiations

(*Continued from page* 1)

sel, asked for a two weeks' adjournment on the grounds that, while every effort would be made to complete the new underwriting offer within the next week, there was no certainty that that could be done.

Judge Bondy, however, declined to grant a longer adjournment than one week and, accordingly, scheduled the next hearing for Tuesday. He urged Atlas to submit the underwriting plan at the earliest moment possible and warned that he would adjourn future hearings for continuously shorter periods than one week if an offer was not forthcoming in the immediate future.

"As I understand the reorganization plan," Judge Bondy said, "Atlas is to present an underwriting offer to the court. I expect this to be done promptly and, if it is a liberal offer I will approve it. If not, we will seek one elsewhere."

In asking for a two-week adjournment, Rickaby stated that the new management of RKO, faced with conditions arising from the war, had adopted various economies. In this fashion, he declared, the new conditions had been successfully met and "surmounted" by RKO.

Majors Delay U. S. Trust Suit Queries

(*Continued from page* 1)

eral, stated recently that the Government would answer the defendants' interrogatories if they followed the same general lines as those of United Artists, but not otherwise.

The companies' interrogatories, originally scheduled to have been filed on Monday, are known to have differed materially from those of United Artists.

The companies with new interrogatories in preparation include Paramount, Loew's, Warners, Columbia, 20th Century-Fox and Universal.

Interrogatories were served on the Government by RKO last Friday and by United Artists several months ago.

Cameraman Bares Rigors Of War Work

(*Continued from page* 1)

only a fraction of the film he shot during several weeks in various sectors. While under fire for almost two hours, he took pictures on the Finnish Maginot Line about 20 miles from Leningrad. This was three weeks ago, when he told reporters behind the lines that hostilities were actually under way, they thought it incredible as both the Finnish and Russian Governments had denied that fighting had started.

"None of the newsreels are getting any war pictures of their own," Sullivan said. "They send out only what they are given by the Government officials. Newsreel staffs in Europe are virtually forwarding agents. But that is important because the difficulties of shipping prints to America are many."

Officials Destroy Films

Several times during his rovings through both belligerent and neutral countries, Sullivan was permitted to take pictures of military objectives, only to see his film destroyed or confiscated by officials. This was the fate of films taken of Helsinki and an island in the Gulf of Finland, demanded by the Soviet Union.

Sullivan left New York on an assignment to cover the Western front. He spent 16 days in Paris in a vain attempt to get a labor permit, which, he found, was prohibited by the French cameramen's union. He then went to Holland where he made films on the Dutch-German frontier and of air raid shelters.

He finally wound up at Helsinki and Viipury (Viborg), a border town.

In Holland he met Frank Muto, cameraman for International News, who was recuperating in a hospital from machine gun wounds suffered in the Polish invasion. Muto, a brother of Tony Muto, Movietone News representative in Washington, has since been assigned to the Russo-Finnish fracas.

"The defense rests . . . peaceful. I hope."



"MAIN STREET LAWYER"

with

EDWARD ELLIS • ANITA LOUISE

HAROLD HUBER • ROBERT BALDWIN • BEVERLY ROBERTS

A Republic Picture



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NOW IN SECOND SUCCESSFUL YEAR

ANNOUNCED over a year ago, Eastman's three new negative films scored an instant success. Today, Plus-X, Super-XX, and Background-X are firmly established favorites. Throughout the industry their unrivalled photographic quality and trustworthy uniformity receive well-merited acclaim. Eastman Kodak Co., Rochester, N.Y. (J.E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work

Majors Allow 10% More Pay For 3 Unions

(*Continued from page* 1)

but neither are affected by the 10 per cent wage increase.

The existing basic agreement expires in 1941. It will include the 10 per cent pay boost besides a possible revision of working conditions. Whether the agreement will be renewed in 1941, Pat Casey, producers' labor contact, said he was not prepared to say.

Joseph Marshall represented the Laborers International which acted in behalf of Local 724, its Studio Utility Employes Union. The International claims 15,000 members in the United States and 1,000 in Hollywood.

The local consists of "general laborers" whose pay is now 82½ cents an hour for a six-hour, five-day week. The union recently shared in the 10 per cent increase accorded other American Federation of Labor unions. Its pay then was 75 cents an hour.

The objective of this union, as well as the plasterers, in seeking membership in the basic agreement, was the closed shop which the pact guarantees.

A meeting in April or May between Casey and Musicians Union representatives on plans for re-employment of musicians in theatres was indicated today.

Representing the producers at today's parley were Nicholas Schenck of Loew's; George Schaefer, RKO; Harry Buckley, United Artists; Leo Spitz, RKO; Joseph Hazen, Warners; Austin Keough, Paramount; W. C. Michel, Twentieth Century-Fox; Adolph Schimel, Universal; Leonard Picker, Columbia; Fred Pelton, producers' labor contact, and Casey.

Representing the unions were William Hutcheson, president, I. B. of Carpenters and Joiners; Dan Tracy, president, I. B. of Electrical Workers; Joseph Tuohy, business agent, Studio Drivers, Local 399, I. B. of Teamsters and Chauffeurs; M. A. Hutcheson, first vice-president, I. B. of Carpenters; J. B. Cambiano, Carpenters' business representative; Frank Carothers, secretary of the unions' committee on the basic agreement; William Castle, business representative, Studio Carpenters Local 946; Al Speede, business representative, Studio Electricians Local 40; John Gillespie, assistant to Daniel Tobin, president, I. B. of Teamsters, Weber and Marshall. There was no I. A. T. S. E. representative at the meeting.

New Copyright Act Seen Ready Dec. 14

(*Continued from page* 1)

will be put in form for introduction at the next session of Congress.

Basic provisions of the new copyright legislation were agreed upon by the committee last Spring. Work was resumed on the draft this Fall. According to present plans, points on which the industries concerned are unable to agree at the next meeting, will be decided by the committee shortly thereafter.

Full Hour Variety Air Shows Vanishing

The full-hour variety show for radio, following about 10 years of popularity, is about to be discarded for the shorter, better-paced programs, agency executives assert. The vogue, which started after Rudy Vallee attained a dominating position with his Sunday night show, appears to be disappearing with him, too. Vallee's sponsor, Standard Brands, discontinued the program two months ago after 10 years.

The latest casualty, Edgar Bergen's Chase & Sanborn show, heard Sundays over NBC-Red from 8 to 9 P. M., will be cut to a half-hour, Sunday, January 7, despite the fact that the show has topped every radio survey made. Soon to follow the lead, according to agency reports, is another coffee sponsor.

Maxwell House is expected to cut the time of "Good News of 1940" to a half-hour. Texaco was also considering reducing the "Star Theatre" to one-half hour, but the recent renewal indicates that the sponsor is satisfied. There are only five other full-hour shows. Kay Kyser, Fred Allen, Bing Crosby and Uncle Ezra on NBC and Kate Smith on CBS.

Balaban Orders Bigger Ad Budget

(*Continued from page* 1)

complete coordination between advertising and distribution.

"Showing of our pictures in sufficient key spots in advance of national release enables us to judge our product accurately and to put intensified advertising campaigns behind each individual picture so that each dollar spent will bring results at the box-office."

Balaban further stated that "Paramount has not been stampeded into any so-called economy drive that might jeopardize the high quality of our product. We will continue to furnish exhibitors with outstanding films."

Pointing to Paramount's extensive theatre holdings, Balaban said that the necessity of supplying these houses with high quality pictures in order to operate them profitably is the best assurance he could give to Paramount's customers as to the quality and box-office value of future company product.

Balaban praised the production forces headed by William LeBaron and I. Frank Freeman. He disclosed that all of Paramount's current pictures, scheduled through June, already have been completed.

Balaban also revealed that Max Fleischer has been given a definite assignment to make another full-length color cartoon.

U. S. Charges Draw Denials in Chicago

(*Continued from page* 1)

RKO have been withdrawn by the government.

The 91-page brief for the first group of aforementioned defendants answers each charge separately, denying that there were any violations of the consent decree, handed down in 1932. The Paramount-B. & K. brief of 41 pages ridicules the government's case at every turn.

Kirkland, Golding and Thomas, B. & K. counsel, summing up the case, state:

"Balaban and Katz occupies the first run field in the Loop. Jones, Linick and Schaefer, Essaness, et al., would like to break in. There are not enough 'quality' pictures to go around, so if Jones, Silverman, et al., move in, B. & K. must move out to make room for them. What law compels this?

"Or shall pictures be distributed pro rata? And if so, how and by whom? And what law compels this?"

Potter Expects N. Y. Critics to Join Poll

(*Continued from page* 1)

awards at the first annual convention in Hollywood late in February. The awards will be for the best film of 1939, best male and female performances, best male and female support, and the young actor and actress most likely to succeed on the screen in 1940.

Potter is chairman of the nominating committee for the poll.

Potter is in New York to attend the opening of "The Great Victor Herbert" at the Paramount tonight. Suzanne Foster, 15-year-old Minneapolis singer featured in the film, was discovered by Potter three years ago. He inaugurated her career by sponsoring local concerts for her.

Newsreel Parade

Another war in Europe, involving Finland and Russia, is included in the newsreels. The British-French-German conflict is not covered. Reels and their contents follow:

MOVIETONE NEWS, NO. 25—Navy blimp demonstrates rescue at sea. Livestock show in Chicago. Mrs. Roosevelt at Dies investigation. Senator King denounces Russia. Finnish Minister addresses Americans. Tom Dewey throws hat in ring. Lew Lehr. Army vs. Navy and Giants vs. Redskins football games.

NEWS OF THE DAY, NO. 223—Conflict in Finland, towns evacuated. Finland's Minister claims Russia is aggressor. Blimp rescue at sea. Dewey is presidential candidate. Football: Army vs. Navy, Fordham vs. N. Y. U., Giants vs. Redskins.

PARAMOUNT NEWS, NO. 28—Soviet building at World's Fair ordered torn down. Finnish women and children evacuate towns. Finnish Minister speaks in Washington. U. S. air defenses inspected. Mrs. Roosevelt at Dies hearing. Dewey to run for President. Livestock show in Chicago. New method for sea rescue. Navy vs. Army football.

RKO PATHE NEWS, NO. 40—War situation in Finland. Congressmen tour defense posts. Mrs. Roosevelt observes Dies hearing. Navy blimp in sea rescue. Football: Army vs. Navy, Giants vs. Redskins, Fordham vs. N. Y. U.

UNIVERSAL NEWSREEL, NO. 829—War in Finland. Christmas trees shipped to China. Dewey announces his candidacy for President. Sea rescue with blimp. Livestock show in Chicago. Football: Navy vs. Army, Giants vs. Redskins, Tennessee vs. Kentucky.

Miss Sullivan Quits U. A.

NEW HAVEN, Dec. 5.—Katherine Sullivan, former secretary of the Film Board of Trade here and secretary of United Artists for the past eight years, has resigned because of ill health.



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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 111 NEW YORK, U. S. A., THURSDAY, DECEMBER 7, 1939 TEN CENTS

Revive Wage Controversy In February

Atlantic City Pay Boost Effective Until Then

The 10 per cent increase in basic wages granted to the 4,000 Hollywood members of the Teamsters & Chauffeurs, Electrical Workers and Carpenters & Joiners Internationals at Atlantic City on Tuesday is subject to arbitration for its continuance beyond next February, it was learned in New York yesterday.

As was the case when producers granted a 10 per cent increase recently to the I.A.T.S.E. and other A. F. of L. studio unions not covered by the five-year basic agreement, provisions were made at Atlantic City for a reopening of the wage question in February to permit producers to show whether industry conditions at that time make it impractical to continue the increases.

The Hollywood agreement fixed Feb. 15 as the date for reopening of the wage issue and provided that in the event of a disagreement over the necessity for surrendering the increase, the question will be submitted to arbitration.

The same procedure will be followed in the case of the three Internationals which are signatories of the basic agreement. Negotiations will be re-opened in the East with them immediately following a settlement of the wage issue with the I. A. and other A. F. of L. studio crafts in Hollywood.

If the West Coast issue is submitted to arbitration, several weeks would be consumed in the process and the negotiations here, for that reason, would not then get under way until March.

The position of the producers at Atlantic City, as it was in Hollywood, was that increases should not be granted at this time because of declining foreign business, new restrictions on the withdrawal of currency from foreign markets and the depreciation of foreign currencies.

Plan Washington's 'Lincoln' Premiere

WASHINGTON, Dec. 6.—James M. Brennan, RKO's division manager, left yesterday for New York after conferring with Hardie Meakin, managing director of RKO's Keith Theatre, and with Max Gordon and Harry Goetz relative to the gala world premiere of "Abe Lincoln in Illinois" which will be held here Jan. 22.

Bioff Extradition Hearing Delayed

Springfield, Ill., Dec. 6.—A hearing on the efforts of Chicago authorities to bring William Bioff, Hollywood I.A.T.S.E. leader, back to Chicago to serve a jail sentence imposed 17 years ago for pandering, has been continued until Dec. 19. It was originally scheduled for Dec. 7. Gov. Horner is being asked to request the extradition of Bioff, now in California.

Thomas in Bigger Post for Monogram

Announcement of the association of Harry H. Thomas with Monogram's company-owned branches in New York, Philadelphia and Washington was made yesterday by W. Ray Johnston, president. Thomas will also act as general manager of the three branches.

Johnston left for Phoenix to attend the world premiere of "The Gentleman From Arizona" after making the announcement.

No change in personnel is planned at the branches, Thomas said. Joseph Felder will continue in charge of the New York branch, Sam Rosen in Philadelphia, and Harry Backman, in Washington. Jules Chapman will act as assistant to Thomas.

Thomas was the original Monogram franchise holder in New York and Philadelphia and has been associated with Johnston for about 20 years. Thomas was recently connected with Tri-National films.

Stage Plays Slash Admission to Meet Film Competition

A number of Broadway's legitimate stage productions have drastically reduced their box-office scales to bring prices into competitive relationship to film houses.

"See My Lawyer," which has been moved to the Adelphi, has installed a price scale of 55c-83c-$1.10 for matinees and evenings, except Saturday night, when the top price is $1.65. "Swinging the Dream," at the Center, is charging 55c-$1.10-$1.65-$2.20 for evenings, and 40c-83c-$1.10-$1.65 for matiness. "New Pins and Needles," at the Windsor, charges 55c-$1.10-$1.65, evenings, and 40c-75c-$1.10 for matinees.

In addition to the low prices for "Swinging the Dream," a two-for-one offer was advertised over WNEW in Martin Block's "Make Believe Ballroom." One announcement brought 1,120 requests.

"Tobacco Road," of course, has been at a low scale for several years. The prices at the Forrest, where the play is in its sixth year, are 55c-$1.10-$1.65. After Raymond Massey left the cast of "Abe Lincoln in Illinois" to appear in RKO's film version of the play, the Playwrights Co. continued the show at a $1.10 top. However, the overhead was too great to be carried with less than 75 per cent of capacity and the popular-priced run closed with a loss to the producers.

John A. Hammell Killed

HOLLYWOOD, Dec. 6.—John A. Hammell, 58, former branch, district and then division manager for Paramount, was killed today in what police described was a leap or fall from his room at the Wilshire Hospital.

Television Launches First Network Programs Jan. 2

Television network programs will become a reality on Jan. 2 when General Electric starts regular programs on its Schenectady stations. The number of hours or schedule has not been announced, but it is understood that all NBC programs originating from New York will be re-transmitted.

Preliminary tests have indicated that the image received in Schenectady is of sufficient strength to be retransmitted. A permanent transmitter should be completed in several weeks. Signals received from New York will de-modulated and transmitted on the G. E. waveband.

The new station will use the third standard channel, 66 to 72 megacycles. NBC uses the first channel and CBS will use the second when it starts operations early next year. Although General Electric is planning another station in Bridgeport, which will also pick up the New York signals, nothing definite has been announced as yet.

The first program to be sent from Schenectady will be telecast tomorrow evening in connection with three Rotary Club, dinners but regular programs will not start until Jan. 2.

$20,000,000 'Wind' Gross At Boxoffice!

It's Lichtman Prediction; '58 Million to See Film'

HOLLYWOOD, Dec. 6.—Al Lichtman, vice-president of Loew's, Inc., and Metro-Goldwyn-Mayer studio chieftain, today offered the following conclusions about "Gone With the Wind":

(1) If the public responds as expected, 58,000,000 persons will see the picture.

(2) "Gone With the Wind" will yield a gross of approximately $20,000,000 at American box-offices.

(3) Cost of producing the film ($3,800,000) should be returned within six months.

"We are handling 'Gone With the Wind' on what we prefer to call a 'modernized' roadshow basis," Lichtman said in an exclusive interview with MOTION PICTURE DAILY.

Emphasizing the fact that it always has been Metro's policy to assure its customers a fair profit, Lichtman pointed out that that 70 per cent, at advanced admission prices, would still leave more for the theatre than 40 per cent.

Average admission prices, including morning, afternoon and evening attendance, is 30 cents as against an average price of 82 cents which will prevail for "Gone With the Wind," declared Lichtman, a road veteran of more than 20 years' experience.

Unions in Court, Fight Nick's Rule

ST. LOUIS, Mo., Dec. 6.—A hearing of the injunction suit filed by certain members of Local 143 of the I.A.T.S.E. and Motion Picture Operators Union to restrain John P. Nick, former boss of the union, from interfering in its affairs began today in Circuit Court. Judge Oakley had previously issued a temporary injunction forbidding Nick and his business agent, Clyde A. Weston, from taking any part in the union's affairs.

Roosevelt Denies Independent Plans

CHICAGO, Dec. 6.—James Roosevelt, vice-president of Samuel Goldwyn, Inc., denied during a stop-over here en route to Hollywood from New York, that he had any plans for entering a new independent production organization.

"I have no plans other than returning to my job with Goldwyn," he said.

Parley Proposed On GN Obstacles

A conference of all principals in the prospective refinancing of Grand National to dispose of obstacles to prompt action in the case was urged by Peter B. Olney, referee in bankruptcy, at a hearing on Grand National's proposed plan of reorganization yesterday.

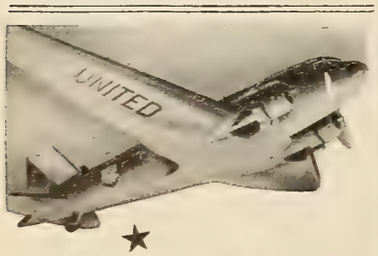
When Grand National representatives were able to report only slight progress on refinancing measures, Referee Olney proposed that the conference be held next Saturday afternoon and the results reported to the company's creditors at an adjourned hearing on Monday morning.

Refinancing Meets Delays

Olney will attend the meeting, if arranged, with E. W. Hammons, Grand National president; Saul Rogers, his attorney; T. Kennedy Stevenson, president of Erpi, which is a principal in the refinancing; representatives of the Reconstruction Finance Corp., another financing principal; Patrick E. Shanahan, chairman of the creditors' committee, and Joseph Dannenberg, committee counsel.

The proposal followed conflicting reports that the delay in consummating the refinancing was due either to the R.F.C.'s reluctance to proceed without a definite assurance that Erpi would participate, or vice versa.

It was reported at the hearing that Hammons had told an earlier creditors' meeting that he was arranging a new revolving fund for production upon reorganization of the company. The fund would approximate $1,000,000, it was said, and informal commitments have been obtained for $250,000 apiece from Alexander Berglos and Joseph Sussowitz.



UNITED...

THE DISTINGUISHED WAY TO LOS ANGELES

Overnight to the coast. Luxurious Mainliner sleepers — the "Continental" leaving New York 5:15 pm, and the "Overland Flyer" leaving New York 10:45 pm. Finest meals aloft. Call travel agents, hotels, or

PHONE MU 2-7300 UNITED AIR LINES 58 East 42nd Street

Purely Personal

WILLIAM F. RODGERS, M-G-M general sales manager, has returned from Charlotte and will be at his desk tomorrow.

•

HOWARD DIETZ, SOL LESSER, RICHARD RODGERS, CHARLES E. MCCARTHY, TOBY GRUEN, SIDNEY PHILLIPS, ED HATRICK, HARRY GOETZ, TED O'SHEA, TOM CONNORS and MAX A. COHEN at Nick's Hunting Room in the Astor for lunch yesterday.

•

BARRY TRIVERS, MARY MARTIN, JOHNNY GREEN, ERWIN GELSEY, ALLAN JONES, A. P. WAXMAN, GERTRUDE LAWRENCE and ONSLOW STEVENS lunching at Sardi's yesterday.

•

JACK HANEY, Movietone News editor, is in Florida lining up coverage of seasonal activities at the resorts.

•

JOSEPH MOSKOWITZ, JACK GOETZ, JOSEPH PINCUS and J. J. MILSTEIN lunching at Lindy's (51st St.) yesterday.

•

MARVIN LOWENTHAL of the California Theatre, Chicago, and MRS. LOWENTHAL are the parents of a boy.

•

H. F. KINCEY of the Wilby-Kincey Circuit is here from Charlotte for Paramount home office conferences.

•

RUSSELL BIRDWELL, Selznick International advertising and publicity head, leaves for the Coast today.

•

WILLIAM BRISCOE, manager of the Cine, Chicago, is spending two weeks in Kentucky on a hunting trip.

•

EDWARD SAUNDERS, M-G-M Western division manager, has returned from the Midwest.

•

KATHARINE CORNELL, on tour, will appear at the Shrine Temple in Des Moines on Friday.

•

ARTHUR LEONARD, vice-president of Lenwal Productions, returned from Dallas yesterday.

•

JAMES M. BRENNAN, RKO division manager for New Jersey, was in town yesterday.

•

FRANK C. NUGENT, *Times* critic, has been laid up with a cold.

•

ALICE FAYE is expected to arrive from the Coast on Saturday.

•

JORGE LEWIS, Mexican film player, is in town from Hollywood.

LOU SMITH, Columbia studio advertising and publicity manager, is in New York from Hollywood to confer with MAURICE BERGMAN, home office advertising and publicity director.

•

EARL HUDSON, operator of United Detroit Theatres, is here to confer with LEONARD GOLDENSON and LEON NETTER at the Paramount home office.

•

LEOTA LANE is visiting in Indianola, Ia., her former home, where she will appear in a concert for the benefit of Simpson College, her alma mater.

•

WALTER C. AMENT, editor of Pathe News, has left for Florida to study the possibilities there for shorts and newsreel stories.

•

E. V. RICHARDS of Saenger Circuit is in town from New Orleans.

•

FRED KOHLER, JR., is here from the Coast.

Rites Tomorrow For W. A. Landau

Funeral services will be held tomorrow at the Riverside Chapel for William A. Landau, 75, owner of the Heights Theatre at Wadsworth Ave. and 181st St., who died late Tuesday night. A son, Irving, has been operating the theatre for the past four years. Four other sons, three daughters and his widow survive.

The Audubon, the first theatre in Washington Heights, was opened by Landau about 30 years ago. He also operated a nickelodeon.

Howard Benedict Here

Howard Benedict with Mrs. Benedict is here from the Coast on his vacation. Benedict was for several years RKO's studio publicity head and was advanced to producer in the early Fall. His current assignment is "Curtain Call," which will go before the cameras next year.

Bank Acquires Lyceum

The Lyceum Theatre on West 45th St. has been sold to the Bowery Savings Bank on a bid of $100,000 in a foreclosure sale. The bank was plaintiff in the suit.

Joe E. Brown Hurt

LOS ANGELES, Dec. 6.—Joe E. Brown, comedian, was injured in a motor accident today. His condition is not serious, according to his son, Don.



Christmas is laughing time!

"JUDGE HARDY AND SON"

from M-G-M

M'Conville Leaving For Buenos Aires

Joseph A. McConville, Columbia foreign manager, will leave for Argentina by plane tomorrow to conduct sales meetings in Buenos Aires with company managers from Brazil, Chile, Peru and Argentina.

McConville also will visit company representatives at Cristobal, Lima and Santiago en route.

Among those who will attend the Buenos Aires meeting are Charles Roberts, home office supervisor for Latin America, who is now in that territory; Louis Goldstein, supervisor for Argentina, Brazil and Chile; A. M. Noye, general manager in Brazil; E. Lopez, manager for Chile, and M. Ehrenreich, manager for Peru.

The meeting had been postponed from last September when McConville was forced to return to New York from Havana following the outbreak of war in Europe.

Grainger on Plane Tour of Exchanges

James R. Grainger, Republic president, left last night on a tour of exchanges by plane. He will spend the holidays with his family in Los Angeles and return about Jan. 10.

En route West he will visit Buffalo, Detroit, Chicago, Milwaukee, Des Moines, Kansas City, Denver, Salt Lake City, Seattle, Portland and San Francisco. On his return trip he will visit Dallas, New Orleans and Atlanta.

Von Stroheim to Coast

Eric von Stroheim, who has been acting in French studios since 1936, returned Tuesday by *Atlantic Clipper*. He is en route to Hollywood for a role in "I Was an Adventuress," to be produced by 20th Century-Fox. Stroheim, who volunteered for the French army, withdrew his offer to fight when he learned that enlistment would mean the loss of his American citizenship.

'Arizona' Opens Tonight

W. Ray Johnston, president of Monogram, will attend the world premiere of the company's western in color, "The Gentleman from Arizona," at Phoenix, Ariz., today. The film was produced entirely in Phoenix by Charles E. Goetz.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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A WARNER BROS.
PICTURE

YOU CAN CARVE IT ON FOR KEEPS

because you'll be proud of it forever!

AT
THIS THEATRE
was presented
"FOUR WIVES"
Christmas, 1939



See it next Tuesday at the Trade Show!

Priscilla Lane
Rosemary Lane
Lola Lane • Gale Page
"FOUR WIVES"
with Claude Rains
JEFFREY LYNN • EDDIE ALBERT
MAY ROBSON • FRANK McHUGH
DICK FORAN • HENRY O'NEILL
The Character of "Mickey Borden," as He Appeared in "Four Daughters," is Portrayed by
JOHN GARFIELD
DIRECTED BY MICHAEL CURTIZ
Screen Play by Julius J. and Philip G. Epstein and Maurice Hanline • Suggested by the Book, "Sister Act," by Fannie Hurst • Music by Max Steiner
A Warner Bros.-First National Picture
WARNER BROS., *Producers*

'THE OLD MAID' *from* WARNERS! 'DUST BE MY DESTINY' *from* WARNERS! 'THE ROARING '20's' *from* WARNERS!
'THE PRIVATE LIVES OF ELIZABETH AND ESSEX' *from* WARNERS! 'WE ARE NOT ALONE' *from* WARNERS!
'FOUR WIVES' *from* WARNERS! 'THE FIGHTING 69TH' *from* WARNERS! 'INVISIBLE STRIPES' *from* WARNERS!
'A CHILD IS BORN' *from* WARNERS! 'BROTHER RAT and a BABY' *from* WARNERS! 'YEARS WITHOUT DAYS' *from* WARNERS!

Hugh Herbert Hits $9,200, Minneapolis

MINNEAPOLIS, Dec. 6.—With Hugh Herbert responsible for most of the draw, largest gross in Minneapolis for the week went to the Minnesota, where "Tidal Wave" and the comedian got $9,200.

In St. Paul, top business went to "First Love" at the Paramount, where the gross was $5,100.

Estimated grosses for the week ending Nov. 30:

Minneapolis:

"Beware Spooks" (Col.)
"Three Sons" (RKO)
"Flying Deuces" (RKO)
"Tropic Fury" (Univ.)
ASTER—(900) (15c-25c). Dual bills, split week. Gross: $1,700. Average, $1,500)

"Drums Along the Mohawk" (20th-Fox)
CENTURY—(1,600) (25c-40c) 7 days, 2nd week. Gross: $4,800. (Average, $4,000)

"Secrets of Stamboul" (Ind.)
"Ballerina" (Foreign)
ESQUIRE—(290) (25c-40c) "Secrets," 4 days, "Ballerina," 3 days. Gross: $1,000. (Average, $700)

"On Your Toes" (W. B.)
GOPHER—(990) (25c) 7 days. Gross: $2,000. (Average, $2,500)

"SOS Tidal Wave" (Rep.)
MINNESOTA—(4,300) (20c-40c) 7 days. Hugh Herbert and stage show. Gross: $9,200. (Average, $6,000)

"First Love" (Univ.)
ORPHEUM—(2,900) (25c-40c) 6 days, 2nd week. Gross: $4,700. (Average, $4,400)

"Elizabeth and Essex" (W. B.)
STATE—(2,300) (25c-40c) 7 days. Gross: $6,500. (Average, $4,400)

"Two Hearts in Waltz Time" (Foreign)
WORLD—(400) (25c-55c) 7 days revival. Gross: $900. (Average, $1,600)

St. Paul:

"Day at the Circus" (M-G-M)
"That's Right, You're Wrong" (RKO)
ORPHEUM—(2,000) (25c-40c) "Day," 3 days, "Time" with Taylor Holmes, "That's Right," 2 days. Gross: $5,000. Average, without stage attraction, $3,200)

"First Love" (Univ.)
PARAMOUNT—(2,500 (25c-40c) 7 days. Gross: $4,800. (Average, $4,400)

"Nurse Edith Cavell" (RKO)
RIVIERA—(1,000) (25c) 6 days. Gross: $1,600. (Average for week, $1,800)

"Flying Deuces" (RKO)
"Two Bright Boys" (Univ.)
TOWER—(1,000) (25c) 7 days. Gross: $1,800. (Average, $1,600)

"Mutiny in the Big House" (Mono.)
WORLD—(400) (25c-55c) 7 days. Gross: $700. (Average, $700)

'Thin Man' Scores $25,500, Pittsburgh

PITTSBURGH, Dec. 6. — "Another Thin Man" brought $25,500 at Loew's while "Nurse Edith Cavell" with Shep Fields and the Ink Spots on the stage grossed $24,500 at the Stanley.

Estimated takings for the week ending Nov. 30:

"Tower of London" (Univ.)
ALVIN—(1,900) (25c-35c-50c) 7 days. Gross: $9,100. Average, $8,000)

"First Love" (Univ.)
FULTON—(1,700) (25c-40c) 7 days, 3rd week. Gross: $4,500. (Average, $5,000)

"Another Thin Man" (MGM)
LOEW'S PENN—(3,600) (25c-35c-50c) 8 days. Gross: $25,500. (Average, $13,000)

"Mr. Smith Goes to Washington" (Col.)
SENATOR—(2,000) (25c-35c-50c) 3 days, 4th week. Gross: $2,600. (Average, 7 days, $3,800)

"Hitler, Beast of Berlin" (Producers)
SENATOR — (2,000) (25c-40c) 7 days. Gross: $3,800. (Average, $3,800)

"Nurse Edith Cavell" (RKO)
STANLEY—(3,600) (25c-40c-60c) 7 days. On stage: Shep Fields Orchestra, Four Inkspots, Bob Dupont and Wynn, Brach & Ames. Gross: $24,500. (Average, $17,000)

"Elizabeth and Essex" (W. B.)
WARNER—(2,000) (25c-35c-50c) 7 days, 2nd week. Gross: $5,000. (Average, $7,000)

Hollywood Review

"All Women Have Secrets"

(Paramount)

HOLLYWOOD, Dec. 6.—Hollywood here carries forward its lately launched movement to inform the theatre going public of all ages on the subject of childbirth. This particular treatment of the topic is the first to make use of a mother-to-be's labor pains as comedy-drama material. Prior to getting down to that, the story, dialogue and incident, probe the possibly interesting question, if it is one, whether college boys and girls ought to marry while in school and, if so, whether they should permit nature to take its course in the procreative department.

Point of the production seems to be, at start and for some time afterward, that young people should graduate and get themselves jobs before marrying, but this gets lost track of toward the end of the picture and is completely canceled out by an artificially happy ending which proves the reverse.

The incident of the labor pains is quite something. One of the co-eds who's been living with her college boy husband in a trailer sends him out to land a sorely needed part-time job without telling him the stork is perched even then upon the bedpost. Another pregnant co-ed and a drunken grid star drop in to visit and learn the state of affairs through the bedded girl's minute-to-minute inquiry as to the time of night.

They hitch the trailer to its pilot jaloppy and speed for the hospital but run out of gas, creating a crisis in which a young man whose medical education has been interrupted by economic pressure matrimonially induced achieves the delivery before ambulance and doctors arrive.

The players used in this picture are Virginia Dale, Joseph Allen, Jr., Jean Cagney, Peter Hayes, Betty Moran, John Aldredge, Lawrence Grossmith and some others.

Running time, 70 minutes. "A"* ROSCOE WILLIAMS

**"A" denotes adult classification*

'Thin Man' $18,500 Kansas City Leader

KANSAS CITY, Dec. 6.—The holiday and good bills combined to give first runs their biggest score in six months. "Another Thin Man" took $18,500 at the Midland and "That's Right, You're Wrong" and "Smashing the Money Ring" drew $9,100 at the Orpheum.

Estimated takings for the week ending Nov. 28-30:

"Day-Time Wife" (20th-Fox)
ESQUIRE—(800) (25c-40c) 7 days. Gross: $2,800. (Average, $2,500)

"Another Thin Man" (M-G-M)
MIDLAND — (4,000) (25c-40c) 8 days. Gross: $18,500. (Average, 8 days, $11,500)

"Elizabeth and Essex" (W. B.)
NEWMAN — (1,900) (25c-40c) 7 days. Gross: $8,500 (Average, $7,000)

"That's Right, You're Wrong" (RKO)
"Smashing the Money Ring" (W. B.)
ORPHEUM — (1,500) (25c-40c) 7 days. Gross: $9,100. (Average, $5,000)

"Laugh It Off" (Univ.)
TOWER—(2,200) (25c) 7 days. Stage: Sammy White, Spiller's Wonder Seal, Maroni and Coralee Gross: $4,200. (Average, $5,000)

"Day-Time Wife" (20th-Fox)
UPTOWN — (2,000) (25c-40c) 7 days. Gross: $4,200. (Average, $3,500)

'Thin Man' St. Louis Winner with $19,500

ST. LOUIS, Dec. 6.—"Another Thin Man" gave Loew's State its third best week of 1939, $19,500.

Estimated grosses for the week ending Nov. 30:

"Another Thin Man" (M-G-M)
LOEW'S STATE—(3,162) (25c-40c-55c) 7 days. Gross: $19,500. (Average, $13,000)

"The Amazing Mr. Williams" (Col.)
FOX—(5,038) (25c-40c-55c) 7 days. Gross: $18,500. (Average, $11,000)

"On Your Toes" (W.B.)
"Disputed Passage" (Para.)
AMBASSADOR — (3,018) (25c-40c-55c) 6 days. Gross: $7,000. (Average, 7 days, $11,500)

"First Love" (Univ.)
"Daytime Wife" (20th-Fox)
MISSOURI—(3,514) (25c-40c-55c) 7 days. Gross: $4,000. (Average, $4,000)

'Ninotchka' Garners $16,000, Providence

PROVIDENCE, Dec. 6.—"Ninotchka," dualed with "Fast and Furious" at Loew's State, took $16,000.

Estimated takings for the week ending Nov. 28-30:

"Ninotchka" (M-G-M)
"Fast and Furious" (M-G-M)
LOEW'S STATE—(3,230) (25c-35c-40c) 7 days. Gross: $16,000. (Average, $11,000)

"We Are Not Alone" (W. B.)
"Kid Nightingale" (W. B.)
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $7,500. (Average, $7,000)

"Here I Am A Stranger" (20th-Fox)
"Rio" (Univ.)
RKO-ALBEE—(2,239) (25c-35c-50c) 7 days. Gross: $5,200. (Average, $6,000)

"Our Neighbors—The Carters" (Para.)
"Law of the Pampas" (Para.)
STRAND — (2,100) (25c-35c-50c) 7 days. Gross: $4,500. (Average, $6,000)

"Mutiny in the Big House" (Mono.)
FAY'S—(1,800) (25c-35c-40c) 7 days. Stage show featuring Gonzalo and Christine; Nash and Evans; Dave Seed & Co.; Le Paul & Co., and The 4 Arleys. Gross: $6,700. (Average, $6,500)

"Mr. Smith Goes To Washington" (Col.)
"Smuggled Cargo" (Rep.)
CARLTON—(1,525) (25c-35c-50c) 7 days, 3rd week. Gross: $3,200. (Average, $3,500)

"The Old Maid" (W. B.) (3 days)
"Pack Up Your Troubles" (20th-Fox) (3 days)
"Jamaica Inn" (Para.) (4 days)
"On Your Toes" (W. B.) (4 days)
EMPIRE—(2,200) (20c-30c) 2nd run. Gross: $1,600 (Average, $1,800)

Plagiarism Suit

HOLLYWOOD, Dec. 6.—A .C. Abadie, writer, today filed suit in Superior Court for $25,000 from Paramount, alleging plagiarism of his scenario in the Paramount short, "Find What's Wrong."

Henkin to Lenwal

Shepard Henkin, formerly with the United Artists exploitation department, has been appointed director of advertising and promotion for Lenwal Productions.

'Ninotchka' Is Frisco's Lead With $17,500

SAN FRANCISCO, Dec. 6.—Paced by a fine $17,500 for "Ninotchka" and "Kid Nightingale" at the Paramount, business boomed here.

Estimated takings for the week ending Nov. 28-Dec. 1:

"That's Right, You're Wrong" RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: Vaudeville. Gross: $18,000. (Average, $15,000)

"Mr. Smith Goes to Washington" (Col.)
"Five Little Peppers and How They Grew" (Col.)
ORPHEUM — (2,440) (15c-35c-40c-55c) 7 days, 5th week. Gross: $9,000. (Average, $8,000)

"Rulers of the Sea" (Para.)
"Pride of the Blue Grass" (W. B.)
FOX — (5,000) (15c-30c-35c-40c) 7 days. Gross: $15,000. (Average, $16,000)

"Ninotchka" (M-G-M)
"Kid Nightingale" (W. B.)
PARAMOUNT—(2,740) (15c-30c-35c-40c) 7 days. Gross: $17,500. (Average, $11,500)

"Eternally Yours" (20th-Fox)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days, 3rd week. Gross: $5,700. (Average, $8,000)

"Cat and the Canary" (Para.)
"What A Life" (Para.)
ST. FRANCIS—(1,400) (15c-30c-35c-40c) 7 days, 2nd week. Gross: $5,500. (Average, $6,000)

"Day-Time Wife" (20th-Fox)
"Pack Up Your Troubles" (20th- Fox)
WARFIELD — (2,680) (15c-30c-35c-40c) 7 days. Gross: $12,500. (Average, $12,000)

"Escape From Yesterday" (French)
CLAY—(400) (15c-35c-40c) 7 days. Gross: $850. (Average, $1,000)

"Lucrezia Borgia" (Gallic)
LARKIN—(390) (15c-35c-40c) 7 days, 6th week. Gross: $800. (Average, $1,000)

'Too Busy,' Spitalny Get $13,200, Omaha

OMAHA, Dec. 6.—"Too Busy to Work," with Phil Spitalny's all-girl orchestra on the stage, pulled $13,200 at the Paramount in a fair week.

Estimated takings for the week ending Nov. 29-30:

"We Are Not Alone" (W. B.)
"Beware Spooks" (Col.)
BRANDEIS—(1,200) (25c-35c-40c) 7 days. Gross: $4,100. (Average, $4,000)

"Roaring Twenties" (W. B.)
"Night Work" (Para.)
OMAHA—(2,200) (25c-40c) 7 days. Gross: $6,800. (Average, $6,000)

"Disputed Passage" (Para.)
"Pack Up Your Troubles" (20th-Fox)
ORPHEUM — (3,000) (25c-40c) 7 days. Gross: $8,200. (Average, $7,600)

"Too Busy To Work" (20th-Fox)
PARAMOUNT—(3,000) (35c-55c) 7 days. Stage: Phil Spitalny and his All-Girl Band. Gross: $13,200. (Average, $12,500)

'Essex' Montreal Best with $12,300

MONTREAL, Dec. 6.—"The Private Lives of Elizabeth and Essex" topped the list with $12,300 at Loew's. Second week of "Ninotchka" at the Palace accounted for $6,600.

Estimated takings for the week ending Dec. 1:

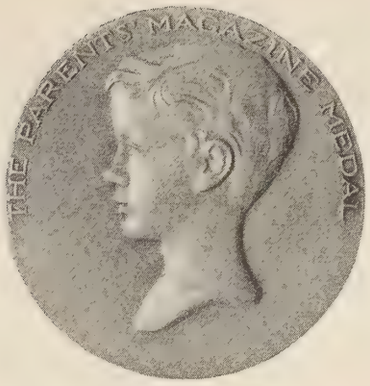
"U-Boat 29" (Col.)
"Five Little Peppers" (Col.)
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days, 2nd week. Gross: $5,000. (Average, $8,000)

"The Private Lives of Elizabeth and Essex" (W. B.)
LOEW'S — (2,800) (30c-40c-60c) 7 days. Gross: $12,300. (Average, $8,000)

"Intermezzo, A Love Story" (U. A.)
"Charlie Chan at Treasure Island" (20th-Fox)
ORPHEUM—(919) (25c-35c-50c) 7 days, 2nd week. Gross: $2,000. (Average, $5,000)

"Ninotchka" (M-G-M)
PALACE—(2,600) (25c-40c-55c-65c) 7 days, 2nd week. Gross: $6,600. (Average, $10,00)

"Dancing Co-Ed" (M-G-M)
"They All Come Out" (M-G-M)
PRINCESS — (2,252) (25c-35c-50c-65c) 7 days. Gross: $5,200. (Average, $6,000)



THIS MEDAL

has just been awarded to M-G-M's amazing Technicolor Holiday Cartoon!

"PEACE ON EARTH"!

Created by Hugh Harman

Different! Daring! Beautiful! Book it Quickly!



LIFE PICKS A SHORT SUBJECT!

Half-page spread in Life Magazine, issue of November 27th. Unique tribute to a short subject reaches millions of readers.



FIRST TIME A SHORT SUBJECT GETS THIS MEDAL!

Picked as the Movie of the Month by Parents' Magazine! Chosen as especially suitable for whole-family audiences!



PREVIEW ACCLAIM!

Actual audience tests get enthusiastic applause.

TRADE PRESS RAVES:

"Definitely a 'must' . . . should be seen by every man, woman and child...reserve space on your marquee!" —*Showmen's Trade Review*

"A cartoon off the beaten track. Timely, amusing!" —*Film Daily*

"Timely. Excellent. Admirably suited to Christmas programs!" —*Motion Picture Daily*

PERFECT FOR THE HOLIDAYS! GREAT ANY WEEK IN THE YEAR!

English Stage Enjoys Good War Impetus

By WILLIAM CROUCH

CHICAGO, Dec. 6.—Film production in England will get started again before many months, in the opinion of Carrol Levis, British radio and screen player, who stopped off here en route to New York by automobile. Cheaper pictures than before probably will be made in England, however, he said.

Stage plays are currently doing better than for many years, he declared. Performers have been excused from war service. American vaudeville artists who care to brave war hazards can find plenty of bookings in London now, Levis said.

Chicago's first newsreel theatre, the Telenews, will open Dec. 23. Located at State St. near Randolph in the heart of the Loop, the house seats 400. Sylvan Goldfinger is manager. One hour shows composed of newsreels and short subjects will be the policy. Admission will be 25c at all times. Fred Bartow, former M-G-M exploiteer here, is press representative.

Jack Kirsch, Allied president, has a new bar in his office, gift of friends who gave a birthday party for Kirsch at the Congress Hotel last weekend. More than 50 exhibitor and distributor leaders and friends of Kirsch attended the party. Jack Osserman, Clyde W. Eckhardt, Van Nomikos and Edward Silverman spoke.

Carl Krueger, exploiteer, has been assigned to cover the Chicago territory for Paramount. Krueger will handle exploitation out of the Chicago, Milwaukee, Detroit and Indianapolis exchanges.

Independents Form New Group on Coast

SEATTLE, Wash., Dec. 6.—Formation of Independent Theatre Owners of Washington, including exhibitors of Washington, Idaho and Alaska, was completed here today by the former board of M.P.T.O.W., together with Robert Poole, executive secretary of the Pacific Coast Conference of Independent Theatre Owners, from Los Angeles.

The local group will be directed by Executive Secretary James Hone and Leroy Johnson, treasurer. The new board includes Ben Shearer, John Danz and Leroy Johnson, Seattle; Howard McBride, Spokane; Fred Mercy, Yakima; E. W. Groesbeck, Enumclaw; William Ripley, Longview; Ed Hallberg, Port Angeles; Mike Barovic, Tacoma; Cecil Gwinn, Centralia; Charles Grieme, Wenatchee; Milburn Kenworthy, Moscow, Idaho.

Poole and Hone are leaving for Portland to organize Oregon exhibitors. The three independent groups will then affiliate into a Coast unit.

Wilk Speaks Today

Jacob Wilk, head of Warners story department, will be principal speaker today at Emma Mills' Book and Play luncheon at the Biltmore Hotel. His topic will be "The Theatre Goes American."

Exploitation

Warner Stunts Bolster 'Child' Premiere in K. C.

KANSAS CITY, Dec. 6.—Warners pre-selling exploitation stunts are credited largely with the fact that "A Child Is Born" scored heavily at the world premiere last night at the Newman. Selling emphasized that Mary McDougal Axelson, author of the novel upon which the film is based, is a native of Kansas City.

Chief among the exploitation stunts employed prior to the opening of the film were the contest to select the city's most beautiful baby, also named New Year's Baby for the Universal Newsreel, and a baby diapering contest, which received considerable newspaper attention. Dr. Caleb A. Ritter, 88, oldest local physician, was honored from the stage of the Newman before the showing of the film.

Monogram Issues Direct Mail Piece on 'Mutiny'

Louis S. Lifton, director of advertising and publicity for Monogram, has prepared a direct mail piece on "Mutiny in the Big House," which contains reproductions of letters, praising the picture, from penal authorities, and reviews.

Start Florida Drive For 'Gulliver' Date

The Chamber of Commerce of Miami has named a committee to arrange a statewide celebration around the premiere of Paramount's "Gulliver's Travels" at the Sheridan on Dec. 18. Ellis Hollums, editor of the *Miami Herald,* heads the committee.

Warner Xmas Cards Plug 'Four Wives'

Warners are sending Christmas cards to all their theatre accounts, with a photograph of the Lane Sisters and Gail Page singing Christmas carols, and a verse plugging "Four Wives," in which they appear.

Infant Pictures Used In 'Babes in Arms' Stunt

AMSTERDAM, N. Y., Dec. 6.—Manager F. J. O'Kelly of Schine's Rialto here, worked out a stunt with Jack Walsh, M-G-M exploiteer, on "Babes in Arms." They obtained a commercial photographer and with newspaper cooperation, pictures of infants were run daily just before and during the film's run.

Providence Victory For Theatre Union

PROVIDENCE, Dec. 6.—The first Providence theatre to sign a contract with Local B-129 Theatrical Employes, I.A.T.S.E. affiliate, is Loew's State. The agreement, following more than a year of negotiations, was announced today by Albert Byrnes, president of the local, and H. M. Addison, New England division manager for Loew's.

The contract specifies a six-day week for all workers affected—ushers, doorman, cashiers, porters and other front house employes. The agreement runs to Labor Day, 1941. With the Loew's State agreement as an opening wedge, officials of the local expressed confidence that other houses will sign soon.

'40 Little Mothers' Out of Circulation

Edwin Fadiman of National Pictures has agreed to withdraw from circulation the French version of "40 Little Mothers," which was shown here with English subtitles.

Withdrawal was stipulated in the terms under which M-G-M purchased the remake rights from National as a vehicle for Eddie Cantor.

Charity Performance Set

ST. LOUIS, Dec. 6.—Receipts of 88 theatres here on Dec. 11 will be donated to Mayor Dickman's fund to clothe needy children. Fred Wehrenberg, owner of a group of neighborhood houses and spokesman for the exhibitors, estimated about $10,000 will be obtained.

SMPE April Meet Set for Atlantic City

The 46th semi-annual convention of the Society of Motion Picture Engineers will be held April 22-25 at the Chalfonte-Haddon Hall Hotel in Atlantic City, according to a decision of the board of governors.

W. C. Kunzmann, convention vice-president, is completing tentative arrangements for the meeting. The papers committee, under the direction of J. I. Crabtree, editorial vice-president, and Sylvan Harris, papers committee chairman, has already begun its work of preparing the papers program.

England Plans Tax On Ad Accessories

Reports that England plans to invoke a new revenue tax on advertising accessories imported into that country reached home office foreign departments yesterday.

Details were not available and the report remained unconfirmed throughout the day. However, several companies made preparations for advance shipments of ad accessories to Britain in anticipation of a new duty being invoked in the near future.

Lesser to Coast

Sol Lesser, who has been in New York for the past few weeks preparing for the film production of Thornton Wilder's Pulitzer prize play, "Our Town," returns to Hollywood today. Lesser has been conferring with Sam Wood, who will direct "Our Town"; Lillian Hellman, who is writing the screenplay, and Wilder.

Jones' Mother Dies

COLUMBUS, O., Dec. 6.—Mrs. Anna E. Jones, 67, mother of John Jones, manager of the independent Southern, downtown subsequent run house, died at her home here after a lingering illness. She also is survived by a sister.

New Altec Contract

Introduction of a new form of contract relating to motion picture equipment has been announced by L. W. Conrow, president of Altec. It will be placed on a nation-wide basis.

Parsons Show Hits $28,300, Philadelphia

PHILADELPHIA, Dec. 6. — Louella Parsons with her "Stars of 1940" on the Earle stage, together with "The Secret of Dr. Kildare" on the screen, grossed $28,300, a near record (Na Li) the house.

Estimated takings for the week ending Nov. 30:

"The Housekeeper's Daughter" (U. A.)
ALDINE—(1,700) (32c-42c-68c) 3rd week. Gross: $7,300. (Average, $8,000)
"Bad Little Angel" (M-G-M) (4 days)
"The Cat and the Canary" (Para.) (3 days)
ARCADIA—(600) (32c-42c-57c). "Cat and Canary" 2nd run. Gross: $2,200. (Average, $2,600)
"Ninotchka" (M-G-M)
BOYD—(2,400) (32c-42c-68c). Gross: $14,200. (Average, $12,000)
"The Secret of Dr. Kildare" (M-G-M)
EARLE — (2,400) (32c-42c-55c)-68c) 6 days (closed Sundays). Stage: Louella O. Parsons and her "Stars of 1940," Arleen Whelan, June Preisser, Ronald Reagan, Jane Wyman, Joy Hodges and Susan Hayward. Gross: $28,300. (Average, $18,000)
"Day-Time Wife" (20th-Fox)
FOX—(3,000) (32c-42c-68c). Gross: $13,600. (Average, $13,000)
"The Private Lives of Elizabeth and Essex" (W. B.)
KARLTON—(1,000) (32c-42c-57c) 2nd run. Gross: $5,400. (Average, $3,000)
"First Love" (Univ.)
KEITH'S—(2,200) 32c-42c-57c) 2nd run, 2nd week. Gross: $3,400. Average, $3,500)
"Mr. Smith Goes to Washington" (Col.)
STANLEY—(3,700) (32c-42c-68c) 2nd week. Gross: $14,900. (Average, $14,000)
"Allengheny Uprising" (RKO)
STANTON—(1,700) (26c-32c-42c) 8 days. Gross: $5,100. (Average, 7 days, $4,500)

Induct New Heads Of Cincinnati Club

CINCINNATI, Dec. 6.—The following officers for 1940 of the local variety club were inducted at a dinner attended by more than 100 members and guests: Arthur Frudenfeld, chief barker; J. J. Grady, first, and Andy Niedenthal, second chief barkers, respectively; Saul Greenberg, property master, and Ralph Kinsler, dough guy.

Trustees, now known as "the crew," are: Frudenfeld, Grady, Niedenthal, Greenberg, Kinsler, Allan S. Moritz, H. J. Wessel, J. J. Oulahan, Joe Kolling, William Onie, William Bien, William Koegel, Harry Hartman, Mike Greenberg and John M. Allen.

'Rebecca' to Follow 'Hunchback' at Hall

"Rebecca" has been booked by the Music Hall for an engagement beginning immediately upon completion of the run of "The Hunchback of Notre Dame." United Artists has set Jan. 19 as the national release date for "Rebecca."

Honor Ilona Massey

Ilona Massey, M-G-M player, arrives tomorrow from the Coast. Monday night she will be honored at a cocktail party given by W. G. Van Schmus, managing director of the Radio City Music Hall. Miss Massey is in "Balalaika," which will play at the Music Hall shortly.

'City' Booked Widely

"The City," short subject distributed by World Pictures, has been booked for key city runs in San Francisco, Hollywood, Philadelphia, Buffalo, Boston, Washington, Kansas City and

Paramount's Lyrical, Laughable, Lovable Epic of Lilliput Land

"GULLIVER'S" TRAVELS

in Technicolor!



A FULL-LENGTH FEATURE CARTOON! ... The Most Wonderful Two Hours of Entertainment the Screen Has Ever Known!

ADVENTURE with the shipwrecked Gulliver among the tiny Lilliputians—25,000 of them!

LAUGH till your sides ache at the antics of these lovable little folk, especially Gabby, the town crier, who discovered the giant Gulliver, but couldn't find himself in the dark!

MEET the inhabitants of this wonderful isle: King Little and his terrible-tempered rival, King Bombo...the two singing lovers, Princess Glory and Prince David...The three dastardly spies, Sneak, Snoop and Snitch...Twinkletoes, the carrier pigeon . . . and thousands more!

SPECTACLE as Gulliver, single-handed, captures the entire enemy fleet . . . as tiny Lilliputian horses drag the giant to the King's castle!

SONGS ...a hit parade of them by Leo Robin and Ralph Rainger, including "Faithful Forever," "Bluebirds in the Moonlight," "I Hear a Dream," "We're All Together Now," "All's Well," "Faithful," "Forever!"



A Paramount Picture • Produced by Max Fleischer • Directed by Dave Fleischer

Copyright 1939, Paramount Pictures Inc.

"IT'S A HAP-HAP-HAPPY DAY"—Words and Music by Al. J. Neiburg and Sammy Timberg & Winston Sharples

4,000,000 people will read this ad in LIBERTY!

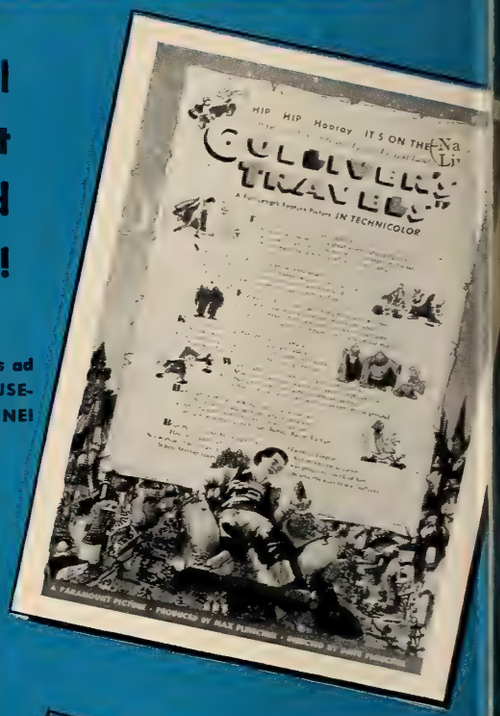
A *GIANT* of a picture . . .

backed by a *GIANT* of an advertising campaign!



$250,000 ADVERTISING CAMPAIGN!

More than 100,000,000 readers of these national publications will read the great news that "Gulliver" is coming . . . and every ad is timed to break so that exhibitors reap fullest benefits!



30,500,000 people will read this ad in COLLIER'S, LOOK, GOOD HOUSEKEEPING, PARENT'S MAGAZINE!

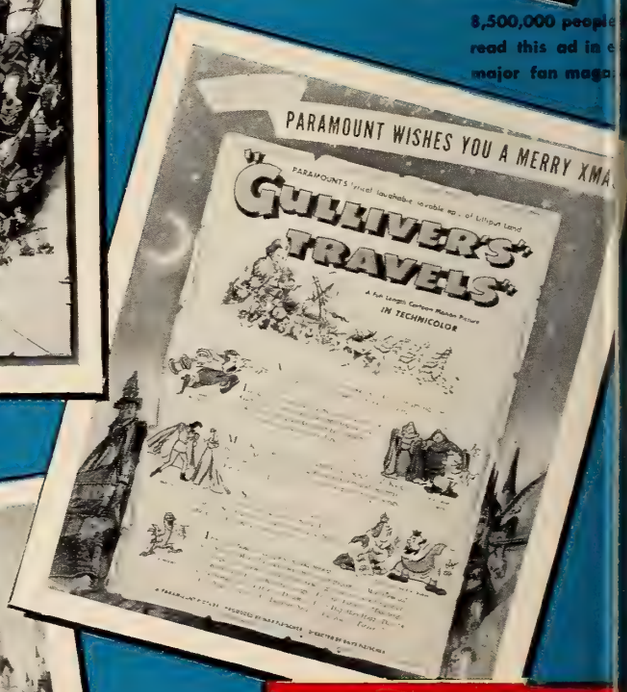


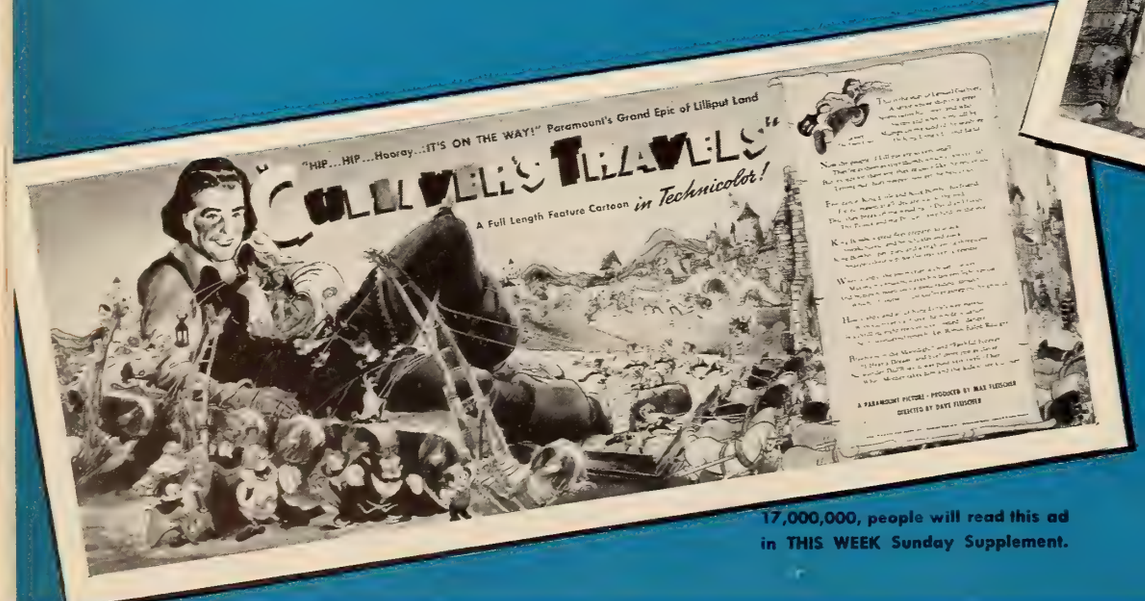
12,500,000 people will read this ad in the SATURDAY EVENING POST!



24,500,000 people will read this ad in LIFE and the N. Y. SUNDAY MIRROR!

8,500,000 people read this ad in major fan maga





17,000,000, people will read this ad in THIS WEEK Sunday Supplement.

. . . AND MILLIONS MORE WILL READ ABOUT "GULLIVER'S TRAVELS" IN PARAMOUNT'S GIANT NEWSPAPER CO-OPERATIVE AD CAMPAIGN!

"GULLIVER" LICENSEES DO A NATIONAL SELLING JOB FOR YOU . . . spending more than $100,000 to promote "Gulliver" merchandise in national magazines — and every ad is a boost for the picture!

Paramount Pictures

Critics' Quotes . . .

"ANOTHER THIN MAN"

Amusing moments mix with melodramatic ones . . . briskly paced (*Boston Post*). Crammed with thrills and excitement (*Boston Traveler*). A script overburdened with plot and counter-plot (*Boston Evening American*). Not so gay, not so funny. . . . However, the acting is superior (*Boston Globe*). Pretty good entertainment, helped along by good performances (*Boston Evening Transcript*).

"DISPUTED PASSAGE"

Akim Tamiroff gives a truly great performance (*Chicago Tribune*). Appeals to the intelligence as well as the heart (*Chicago Daily News*). A glib and interesting film (*Chicago Times*). Emotional drama of intense appeal (*Chicago Herald-American*).

"JOE AND ETHEL TURP CALL ON THE PRESIDENT"

Outstanding entertainment (*Los Angeles Examiner*). Refreshing . . . a family comedy (*Hollywood Citizen-News*). It's a good picture, unique. . . . Broad comedy and pathos are cleverly intermingled (*L. A. Times*).

Stars on Air Draw Attack In Michigan

Industry action to solve the problem of increasing radio competition with theatres provided by continued appearances of film stars on the air was urged by Ray Branch, president of Allied Theatre Owners of Michigan, in a letter to the trade press yesterday.

Branch related that the problem had been brought home forcibly to him recently when theatre patrons called his attention to radio announcements urging listeners to remain at home and hear "their favorite film star" in comfort, rather than experience the "inconvenience and expense" of going out to hear them at a theatre.

"Industrial war this most certainly must be," Branch observes, "otherwise statements of this kind would not be in evidence."

He urges an inter-industry conference to discuss the issues involved and effect some agreement, "or one of these great industries will wipe out the other, and I am sure there is room for both."

Failing an inter-industry agreement, Branch urges producers to invoke control of their stars through contractual restrictions on their radio appearances.

New Haven Union Elects

NEW HAVEN, Dec. 6.—Local 74 of the I. A. T. S. E., covering employes in New Haven, Ansonia and Derby, reelected the entire slate of officers, headed by John S. O'Connell as president. Other officers include Daniel B. Cummings, business agent; Charles McBride, vice-president; Robert Watson, secretary; Charles Langley, treasurer, and Edward O'Connell, Si Rudnick and James Carter, executive board members.

'Entente' at Two Houses

"Entente Cordiale," French film, will open in New York Christmas Day at the 55th St. Playhouse and the 5th Avenue Playhouse. Private showing of the film will be held at the Hotel Pierre Dec. 20 for the benefit of the New York Infirmary for Women and Children.

Notes on Radio Personalities And Programs

To those who have been wondering why Joe Penner has stopped selling his ducks on the Ward Baking "Tip Top Show" comes the information that the agency banned the mention of the fowls. It seems that there is another baking company that sells Drake's baked products.

Mutual's sports announcers took the top three places for baseball announcing during the past season in the *Sporting News* poll. Red Barber of WOR, was first, Frankie Frisch, of the Colonial network, Mutual's New England outlet, second, and Bob Elson, of WGN, Chicago, third.

Sponsors have been obtained for two one-hour shows at WHN. A. L. Alexander's "Arbitration Board" and the "Bowery Mission" go commercial this week. Hudson Products, on behalf of Polident, will sponsor Alexander's show Fridays at 9 P. M. Brown & Thomas is the agency. Restland Memorial Park will sponsor the Mission under a 52-week contract. Starting Sunday, Dec. 17, it will be heard weekly at 3 P. M.

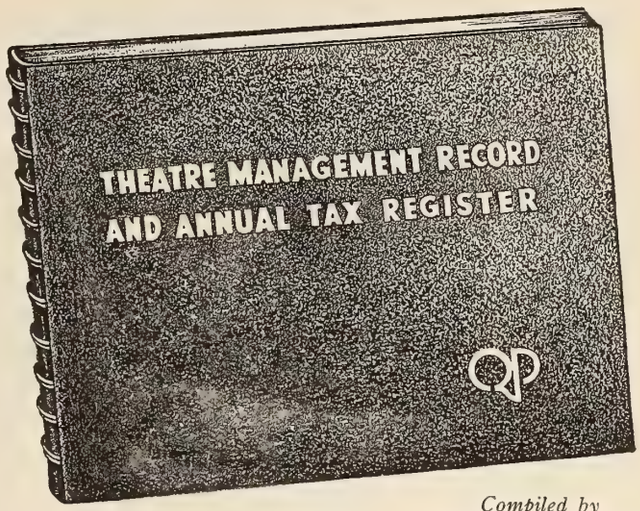
The Ben Bernie show, heard over 51 CBS stations, has been renewed by American Tobacco. Columbia Record Corp. has also renewed its show, "Young Man With a Band," over 31 CBS stations.

Phil Cook's WABC "Morning Almanac" campaign for books for hospital patients received considerable aid when 100 Liggett drug stores and 12 Bond Clothing stores in the metropolitan area offered to act as depositories for books donated.

Both Mutual and WHN will carry a play-by-play description of the championship professional football game Sunday when the Green Bay Packers meet the New York Giants at Milwaukee. General Mills is sponsoring on behalf of Wheaties.

RKO Signs Taylor

HOLLYWOOD, Dec. 6.—Kent Taylor has been signed to an exclusive three-year contract by RKO. His first picture will be a role opposite Anne Shirley in "Anne of Windy Poplars."



Compiled by
THEODORE J. SULLIVAN

GUARD AGAINST LOSSES
AVOID TAX TROUBLES

THIS NEW EASY ACCOUNTING SYSTEM
DEVISED EXPRESSLY FOR EXHIBITORS

TIME-SAVING
ACCURATE
SIMPLE

$2.00 POSTPAID

INDIVIDUAL
SECTIONS FOR
EVERY ITEM

■ Just published for the first time, ***Theatre Management Record and Annual Tax Register,*** meets the urgent need of exhibitors for a simplified theatre bookkeeping system. Devised to cover all operating data, the Record enables you to keep a complete and up-to-the-minute account of every phase of your business without any bookkeeping experience. Exhibitors, this accounting system has been compiled expressly for your convenience. It is designed particularly for your needs and is a self-operating safeguard against losses and tax troubles. Once tried, you will be amazed at its utter simplicity. Order today and take advantage of the special introductory price.

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER NEW YORK



Shucks- that's easy!

NATIONAL SCREEN TRAILERS do bigger and better stunts every da

in the box-offices of more than 12,000 theatres throughout the country

They talk turkey to a customer-audience at every performance.

For NATIONAL SCREEN TRAILERS hit the bull's-eye . . . ring the bell . . . smack the good points of your picture across with a combination o action-on-your-screen and high-powered sales copy that carries stream lined conviction in the shortest possible time.

And the price is so low that any exhibitor can afford them . . . large house or small . . . because every NATIONAL SCREEN TRAILER pays for itsel many times over in extra admissions. . . . The shortest, most consistent most forceful advertising you can buy.

IT'S NO TRICK AT ALL to put that extra kick on your Screen with Special Announcement Trailers by NATIONAL SCREEN SERVICE

NATIONAL Screen SERVICE

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 112 NEW YORK, U. S. A., FRIDAY, DECEMBER 8, 1939 TEN CENTS

Fox Midwest Backs Local Trade Codes

New Clearance Schedule Included at Wichita

WICHITA, Dec. 7.—A local fair trade practice code governing general policies of independents and Fox Midwest houses here may be adopted this week and may provide the basis for widespread duplication throughout National Theatres' 430 operations as a means for avoiding future trade disputes.

Included in the fair practice program is a new clearance schedule on pictures released after Dec. 15, which has been approved and signed by the theatre operators already. Clearance between runs will be reduced substantially, and the agreement includes a penalty of one year in availability for use of schemes to avoid the true admission price and for use of triple bills.

Effective for one year, the agreement reduces availability between first run and 25-cent spots from 113 to 60 days; from first run to 20-cent spots, from 134 to 88 days; to a 15-cent spot, from 148 to 119 days, and to a 10-cent spot, from 180 to 168 days.

Under the suggested fair practice code, exhibitors would not use two-for-one admissions, one-cent "bargain" days, coupons or other methods of reducing the advertised admission scales.

U.S. Gets Columbia Trust Suit Queries

Columbia yesterday served extensive interrogatories on the Department of Justice in connection with the Government's New York anti-trust suit.

The company is the third defendant to file such interrogatories, having been preceded by United Artists and RKO. The five other major company defendants also will file interrogatories and it is possible that they may be served on the Government today.

The Columbia interrogatories, prepared by Schwartz & Frohlich, company counsel, were served on William P. Farnsworth, special assistant to the U. S. Attorney General. They run more than 60 pages in length and consist of approximately 50 separate questions.

They ask the Government for the names of its witnesses, identification of their theatre properties, and seek detailed information as to where and when the violations of the anti-trust

(Continued on page 4)

ATLANTA ALL EXCITED!

3-Day Georgia 'Wind' Holiday Starts Dec. 13; Charity Ball Sold Out; Stars Will Attend

ATLANTA, Dec. 7.—Atlanta has been struck by a hurricane of enthusiasm for "Gone With the Wind."

Not since Sherman's march to the sea has any event excited the city and state as much as the world premiere of the picture which will be held at Loew's Grand Theatre the night of Dec. 15.

Governor Rivers of Georgia has declared a three-day holiday in the state, beginning Dec. 13. Governors of 11 Southern states, 20 Congressmen and city officials have indicated that they will attend.

Climax of the festivities in connection with the opening will be a charity ball sponsored by the Atlanta Junior League at the Civic Auditorium the night of Dec. 14. Eight thousand tickets have been sold at $2 each. This is absolute capacity.

The ticket demand has been so great that Atlantans have placed personal notices in the newspapers offering as much as $200 for a pair.

The whole town is speculating on the lucky ones who will be Clark Gable's and Vivien Leigh's dancing partners at the affair. The setting for the ball will be the same as the picture—A Civil War era, with parts of the original studio set being transported to Atlanta. The Junior Leaguers will wear gowns designed

(Continued on page 2)

Broadway Actors To Seek Pay Boost

Actors Equity will seek a $10 increase to the $40 minimum wages next season for performers employed on the legitimate stage in New York, Paul Dullzell, executive secretary, stated yesterday.

Under the terms of the ticket code contract between the League of New York Theatres and Equity, the latter must give 90 days notice before requesting any changes in the basic employment contract and must wait an additional 90 days before placing such changes in effect.

As a result, no change could be made before June 9 in any event. The basic agreement expires May 31. Final action by Equity's council will not take place until Tuesday when the legal

(Continued on page 4)

Harmony on F.C.C. Foils Shakeup Plan

WASHINGTON, Dec. 7.—Rumors were persistent in Washington today that President Roosevelt has abandoned his plan for reorganization of the Federal Communications Commission as a result of the increased harmony among the members since Commissioner James L. Fly succeeded Chairman Frank R. McNinch.

Predictions were made that the reorganization legislation, under which the Commission would be reduced from seven to three members, will be kept pigeon-holed during the coming session. President Roosevelt asked for the change early last year, and the legislation was introduced but never acted upon.

In some quarters it was suggested

(Continued on page 4)

New Network Includes 92 Stations, Begins January 1

Transcontinental Broadcasting System yesterday disclosed that it would start operations at 10 A.M. on New Year's Day and listed its 92 affiliated stations with the 93rd to be added in Philadelphia. The statement was signed by Elliott Roosevelt, president, and John T. Adams, chairman of the board.

Originating point for most of the network's programs will be WMCA, New York; WJJD and WIND, Chicago; and WFWB, Los Angeles. Primary markets are covered by WMEX, Boston; KQV, Pittsburgh; WBNY, Buffalo; WTOL, Toledo; WJBK, Detroit; KCMO, Kansas City; KXOX, St. Louis; WJBW, New Orleans; KFJZ, Fort Worth; and KYA, San Francisco.

M. P. Wamboldt, program director, will spend the weekend in Chicago conferring with affiliate owners. Contracts for 16 hours of wire service daily were signed two weeks ago with the A.T. & T. Contracts for $6,000,000 annual income have already been

(Continued on page 4)

Move Studios To N.Y.? 'No,' Says Schenck

Rockefeller Office Denies Support for Project

By IRA WIT

Nicholas M. Schenck, president of Loew's and MGM Pictures, after conferring with Mayor La Guardia yesterday, denied unequivocally that his companies would cooperate with the Mayor in his campaign to bring production to New York.

The call on the Mayor was purely social, Schenck said, to invite him to attend the opening of "Gone With The Wind." In response to insistent questions from reporters Schenck stated that in view of the fact that his companies had a "tremendous investment and a $20,000,000 studio" in California he could not see his way clear to make pictures in New York "at this time."

Schenck parried a number of other questions on Eastern production by telling the reporters "to ask the Mayor."

Clendenin J. Ryan, Jr., former aide to Mayor LaGuardia, yesterday leased space in the RKO Building, Rockefeller Center, where headquarters for

(Continued on page 2)

Reisman Is Elected RKO Vice-President

Phil Reisman was elected vice-president in charge of foreign distribution of RKO Radio Pictures at a meeting of the RKO board yesterday.

Reisman has been in charge of the RKO foreign distribution department for the past six years, prior to which he was in charge of film buying and booking for the company for a brief period. He has been in the industry since 1917 and served as a district manager, Canadian general manager

(Continued on page 4)

Producers to Yield Publicists Contract

HOLLYWOOD, Dec. 7.—The Screen Publicists Guild today reached a final agreement with producers over a collective bargaining contract and attorneys are now preparing drafts for the signatures of company heads.

After lengthy conference between Joseph M. Schenck, E. J. Mannix and Y. Frank Freeman, representing producers, and Guild negotiators, headed

(Continued on page 4)

Purely Personal

HERMAN WOBBER, general sales manager for 20th Century-Fox, leaves Saturday morning by plane for the Coast. He will be gone about three weeks.

•

SIGWART KUSIEL, Columbia manager for Mexico, is in New York for conferences with JOSEPH A. MCCONVILLE, foreign department head, prior to the latter's departure today on an extended South American trip.

•

ANN RUTHERFORD, M-G-M player, will make a personal appearance at the RKO Capitol, Cincinnati, Saturday and Sunday, en route to Atlanta for the world premiere of "Gone With the Wind."

•

WILLIAM GRADY, M-G-M casting director, was in Cincinnati this week conferring with EDWIN M. BOOTH, local M-G-M manager, and visiting the Schuster-Martin Dramatic School.

•

BARNEY BALABAN, Paramount president; STANTON GRIFFIS, chairman of the executive committee, and RUSSELL HOLMAN, Eastern talent head, will arrive from the Coast this morning.

•

ALEXANDER KORDA, delayed in his departure from the Coast, is expected here today by plane. He is scheduled to leave for Europe Sunday on the *Dixie Clipper*.

•

MAURICE N. WOLF, M-G-M district manager in Boston, and MORRIS ABRAMS, Minneapolis publicity representative, observe birthdays today.

•

STANLEY GOLDBERG, office manager and booker for Monogram in Kansas City, and MRS. GOLDBERG are the parents of a boy born Tuesday.

•

LOU SMITH will leave this week for the Coast to take up his duties as studio publicity manager for Columbia Pictures.

•

CLARA DEUTSCH of the New Jersey Allied office has announced her engagement to Arnold Ghinger of the Bronx.

•

IRENE RICH was in Buffalo this week and was guest of honor at a civic luncheon.

•

VINCENT MCFAUL of Buffalo is in New York for Paramount home office conferences.

•

AL ROSEN is back on the job as manager of Loew's State after a long illness.

•

HENRY FONDA has left the studio for a vacation in Mexico City.

•

C. F. DAVIS, Comerford manager in Binghamton, is in town.

•

JOE WEBER, head of the Musicians union, is ill at home.

•

WILLIAM GOETZ will arrive from the Coast today.

•

MAXIE ROSENBLOOM is here from the Coast.

•

WILLIAM HEBERT is in town.

Excitement Rules Atlanta As 'Wind' Premiere Nears

(*Continued from page* 1)

after those worn in the picture.

Atlanta newspapers, of course, have "gone to town" and for weeks have bannered stories across front pages. Numerous parties will be given by social leaders. As one of the stunts, an old Confederate veteran has been chosen to act as "sponsor" for Miss Leigh, and a Civil War widow will be Gable's partner.

The entire state of Georgia, it seems, wanted tickets for the premiere. It is estimated that 25,000 requests were received, but only 2,000 seats, the theatre's capacity, could be sold. Tickets went at $10 each. The first night's gross will be contributed to the Warm Springs Paralysis Foundation and other charities.

The "control" system of ticket sales used at some colleges, has been instituted for the premiere. Purchasers of tickets must register their names.

Gable will wear a beard while in Atlanta, as he is working in "Not Too Narrow, Not Too Deep," which requires the hirsute adornment. He will be back at the studio three days after the premiere. Neither he nor Miss Leigh will attend the New York opening Dec. 19.

A large group of Loew's M-G-M and Selznick International executives as well as players are scheduled to arrive in Atlanta on the eve of the premiere. The M-G-M party will be headed by Nicholas M. Schenck. John Hay Whitney, David O. Selznick and Lowell Calvert of Selznick International will be there.

On the morning of the premiere there will be a parade led by Gable and Miss Leigh. Others who will participate will include Laurence Olivier, Ann Rutherford and Olivia de Havilland. Victor Fleming, director of the film, may attend.

The New York *Times* is contemplating sending Frank S. Nugent, its top film critic, and Meyer Berger, columnist, to Atlanta to cover the doings.

Christmas Shopping Cuts Grosses Down

Grosses dropped slightly along Broadway as first run houses began to feel the effects of the Christmas season shopping.

"We Are Not Alone," with a stage show, drew an estimated $84,000 at the Music Hall for the first week. It will be held for two.

At the Rivoli, "Destry Rides Again" drew an estimated $35,000, and is held over. "Barricade" bows at the Roxy today after one week for "Housekeeper's Daughter," with a stage show, which drew an estimated $37,000. The second week of "Another Thin Man" at the Capitol grossed an estimated $16,000. "The Secret of Dr. Kildare" started there yesterday.

At the Strand, "Elizabeth and Essex," with Al Donahue's band on the stage, drew an estimated $40,000 for its first week. It, too, is being held over.

Gilbert Quits Altec To Join Paramount

Frank C. Gilbert resigned yesterday as chief engineer of Altec Service Corp. to become chief engineer of Paramount's Hollywood studios. The resignation is effective Jan. 1.

The appointment of Gilbert is in line with a Paramount objective of coordinating all engineering activities at the studio. He will be in charge of general plant engineering at both the present and the proposed new Paramount studio.

Gilbert will be tendered a farewell dinner by his Altec associates on Dec. 18.

K-A-O Votes Dividend

The board of directors of Keith-Albee-Orpheum Corp. has declared a dividend, out of operating surplus, of $3.50 per share on the 7 per cent Cumulative Convertible Preferred Stock of said Corporation for the quarters ended March 31 and June 30, 1937, payable on Dec. 22, 1939, to the holders of record of said stock at the close of business on Dec. 18, 1939.

'Arizona' Premiere Is Held at Phoenix

PHOENIX, Ariz., Dec. 7.—With Gov. R. T. Jones of Arizona heading the list of official guests, and W. Ray Johnston, Monogram president, in attendance from New York, "The Gentleman from Arizona," color film produced here by Charles E. Goetz, and released by Monogram, had its world premiere at the Orpheum tonight.

Monogram players arrived today by air from Hollywood, including Boris Karloff, Jean Parker, Tex Ritter, Marcia Mae Jones, Frankie Darro, Jackie Moran, John King, Joan Barclay and J. Farrell MacDonald. The cast of the film participated in a reception and made personal appearances on the Orpheum stage after the showing of the film.

Movietone Official Held for Shortage

Max L. Hymes, for the last nine years comptroller of Movietonews, Inc., was arrested yesterday on a charge of defalcation of $33,000 through juggling the company's books. This, according to Assistant District Attorney Robert Thayer, is only a part of about $141,000 which Hymes is alleged to have taken and lost on the horses during the last five years. Movietonews is the newsreel and short subject producing subsidiary of 20th Century-Fox.

Associates Elect Dec. 16

Jack Ellis of RKO is slated to be reelected president of the Motion Picture Associates. Nominations of officers take place Dec. 16, and no opposition to Ellis has been made known, although he has not announced his candidacy. Ellis has served two terms.

Rites for Arthur, 73

Funeral services will be held tomorrow for Daniel V. Arthur, 73, veteran manager and producer of the legitimate theatre, who died Wednesday. Burial will be at Holy Cross Cemetery, Brooklyn.

Move Studios To N.Y.? 'No,' Says Schenck

(*Continued from page* 1)

the new LaGuardia-sponsored Chamber of Commerce which Ryan heads, will be established in the near future.

Among numerous objectives of the new bureau will be the encouragement of film production in New York. Other objectives include the retention of industries already located in New York which may be tempted to move out because of labor or other problems, and the winning of new factories for the city.

Published reports yesterday that Nelson Rockefeller had "provided" the office space in Rockefeller Center for Ryan met with denials at both Rockefeller's office and the Center's renting office.

Although Rockefeller is out of town, his office authorized the statement that he "has no active interest in the move to bring film production East."

The Rockefeller Center renting office denied emphatically that the space to be used by Ryan was donated, and stated that a lease is being drawn in the regular manner.

RKO Manager Party To Be Held Monday

While RKO managers gather on Monday night in the East Ballroom of the Hotel Astor for a cocktail and beefsteak party, marking the conclusion of the fourth year of the RKO Managers' Bonus Plan, their wives and sweethearts will be entertained.

The women will be the guests of RKO at any legitimate show they desire to see. After the shows, the women will join the managers at the Astor, the group then going to the Diamond Horseshoe for an after-theatre party. John J. O'Connor, vice-president in charge of theatre operations, and a few other home office executives will attend as special guests.

Holds Albany Meeting

UTICA, Dec. 7.—Meeting of Warner theatre managers here was held by Charles A. Smakwitz, Albany district manager. On hand were William Haynes of the Stanley, Arnold Stoltz of the Avon and John Breslin of the Utica.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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FOX WEST COAST AGENCY CORPORATION

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DATE November 15 19 39

TO Charles P. Skouras

FROM Ray Lindsey
Fox Pomona Theatre, Pomona, Cal.

PREVIEW REPORT

R A F F L E S

Producer: Samuel Goldwyn
Director: Sam Wood
Cast: David Niven, Olivia De Havilland, Dame May Whitty, Dudley Digges, Douglas Walton, E. E. Clive, Lionel Pape, and Gilbert Emery.

Released Thru United Artists

A very entertaining and amusing picture. The very likable character, "Raffles," is played to the hilt by David Niven – a suave, polished and brilliant performance indeed, getting in and out of situations in such a way as to keep interest and excitement at a high pitch. Olivia De Havilland gives a fine performance. Dudley Digges is excellent, as is Dame May Whitty. Sets and photography are fully up to the Goldwyn standard and the production has been given fine mounting. Sam Wood's splendid direction keeps the picture moving at lightning speed. There is an abundance of good laugh situations. It is highly satisfactory entertainment.

AUDIENCE REACTION—Very good—a full house received the title warmly, were intensely interested in the development of the story, laughed heartily at the comedy sequences and gave it a fine round of applause at the finish. Preview cards were 100% complimentary.

With the mounting popularity of David Niven, the highly amusing and entertaining story, and the certain word of mouth compliments this picture will receive, it should do very well at the box office.

Yours sincerely,

Ray Lindsey, Manager
Fox Pomona Theatre



No Cut In Number Of Films—Balaban

CHICAGO, Dec. 7.—Paramount will make the same number of pictures next season as this season, Barney Balaban, president, said on his arrival here today, en route to New York from the Coast.

Commenting on reports that producers plan to make fewer pictures next season because of war-time conditions, Balaban said that not only was this untrue of Paramount but that the company would not reduce its production budgets either. He said that extra appropriations would be made for pictures which warranted them.

Balaban reported that all Paramount production up to July release has been completed, or is being cut or scored.

He expressed optimism over the domestic business outlook for the coming months, but pointed out that it would take a 20 per cent increase in Britain to overcome losses from exchange depreciation alone.

While here Balaban conferred with his brothers, John, David, Elmer and Harry Balaban, and with B. & K. officials regarding the circuit's operations.

Attorney Sues Loew's

Loew's M-G-M Pictures, M-G-M Distributing and Culver Export Co., were named defendants yesterday in a suit for $74,046 filed by Walter H. Pollak. Plaintiff, an attorney, is suing for legal fees allegedly due to him. Defendants claim, in a filed answer, that they paid Pollak $11,757 in full.

No Orange Juice?

Eugene Murphy of Oscar A. Doob's publicity department at Loew's promoted 1,000 doughnuts and gallons of coffee for a "breakfast matinee" at Loew's Mayfair on Broadway, from 7 to 9 A.M. next Monday. The show will be "Babes in Arms" and "Main Street Lawyer," and the admission 15 cents.

Reisman Is Elected RKO Vice-President

(*Continued from page 1*)

and assistant to Sidney R. Kent at Paramount during the 1920's. Subsequently he was general sales manager for Pathe and general sales manager for Universal.

During his six-year regime as head of the RKO foreign department the company established its own distributing organizations in 22 countries. The 23rd will be opened in Singapore early next year.

Producers to Yield Publicists Contract

(*Continued from page 1*)

by President Billy Edwards and Attorney George Bodle the Guild issued a statement, part of which expressed its "gratitude to Schenck for his important contribution in bringing about the agreement and for his sympathetic understanding throughout negotiations."

"Your Honor, I submit in evidence a bullet that will match the one that killed Ralston. It's somewhere here . . . ."



"MAIN STREET LAWYER"

with

EDWARD ELLIS • ANITA LOUISE

HAROLD HUBER • ROBERT BALDWIN • BEVERLY ROBERTS

A Republic Picture

Broadway Actors To Seek Pay Boost

(*Continued from page 1*)

department presents a written report. The matter was turned over to attorneys at last Tuesday's meeting.

The League held a meeting yesterday to consider the new demands, although not officially informed of the move. No statement was forthcoming, except that the managers declared that they woud live up to the basic agreement and expected Equity to do so, too.

Dullzell declared that the increase in minimums could have little effect because most Equity members are employed at salaries considerably above the minimums.

U.S. Gets Columbia Trust Suit Queries

(*Continued from page 1*)

laws alleged by the Government took place and exactly how Columbia entered into or participated in each alleged violation.

In several respects the interrogatories are similar to those filed by United Artists which Paul Williams, special assistant to the Attorney General, stated early this week the Government would answer within 60 days.

Ban Upon Handbills Ruled Illegal Here

Judge Bromberger in Magistrate's Court in Brooklyn yesterday declared unconstitutional Section 318 of the city's sanitary code under which circulation of handbills was prohibited.

He dismissed a charge against Jack Zelony of the People's Cinema, who pleaded not guilty. A recent opinion of the United States Supreme Court invalidated local ordinances banning distribution of handbills. Zelony was represented by Melvin Albert of Weisman, Celler, Quinn, Allan and Spett.

Exchange Employes Begin Wage Parleys

Negotiations on a new agreement for the Film Exchange Employes Union were begun yesterday by committees representing the union and the distributors.

A preliminary session held at the Warner home office was taken up by discussion of conditions on the basis of recommendations of the locals. Subcommittees were appointed. The negotiations continue today.

Krimsky Sues Pascal

Suit by Joseph Krimsky against Gabriel Pascal for $100,000 damages for alleged breach of contract was revealed yesterday in N. Y. Supreme Court. Pascal, according to the complaint, in 1933 promised to turn over to the plaintiff half of the proceeds of all films which he would produce or distribute. In addition Krimsky claims, exclusive U. S. distribution rights were promised.

Power Gets New Contract

HOLLYWOOD, Dec. 7.—Tyrone Power, before starting work on his new picture, "Dance With the Devil," was given a new three-year contract by Darryl Zanuck at 20th Century-Fox.

92 Stations In New Network

(*Continued from page 1*)

signed, Roosevelt and Adams declared.

Mutual officials reiterated yesterday that the Texas State network was under contract to Mutual and that the same was true of WDGY, Minneapolis, and that contracts were being studied to determine possible breach of contract actions. TBS declined to comment.

TBS affiliated stations, as of December 7, follow:

KFBK, Sacramento; KGHI, Little Rock; WJJD, Chicago; KSAL, Salina; WDWS, Champaign; WTMC, Ocala; KERN, Bakersfield; WJEJ, Hagerstown; WMEX, Boston; KFOX, Long Beach; KXOK, St. Louis; KCMO, Kansas City; WHDF, Calumet; WMCA, New York; KFRU, Columbia, Mo.; WJW, Akron; WGTM, Wilson; KGCU, Mandan; WBNY, Buffalo; WING, Dayton; KDLR, Devils Lake; KFDA, Amarillo; WGH, Norfolk; KBST, Big Spring; KNOW, Austin; WSUP, Superior; KXYZ, Houston; KPLT, Paris; KRRV, Sherman; KGKB, Tyler; KPAC, Port Arthur, WFOY, St. Augustine; KWG, Stockton; WIND, Chicago; WJBW, New Orleans; KFJB, Marshalltown; WGAU, Athens; WCBS, Springfield; KFWB, Los Angeles; WSLI, Jackson; WCOV, Montgomery; WJMS, Ironwood; WJBK, Detroit; KDRO, Sedalia; WDGY, Minneapolis; WRAL, Raleigh; WABY, Albany; WCPO, Cincinnati; KOCY, Oklahoma City; KRMC, Jamestown; KOME, Tulsa; WTOL, Toledo; WSPA, Spartansburg; WCOS, Columbia, S. C.; WSAU, Wausau; WEMP, Milwaukee; KFJZ, Fort Worth; KFRO, Long View; KGKL, San Angelo; KTEM, Temple; KVWC, Vernon; KVNU, Logan.

WAYX, Waycross; WMFJ, Daytona Beach; KSCJ, Sioux City; WCBM, Baltimore; KYA, San Francisco; WKAT, Miami; KWBG, Hutchinson; KGNO, Dodge City; KOH, Reno; KFOR, Lincoln; KDGE, Fergus Falls; KWNO, Winona; KATE, Alberta Lea; WBEO, Marquette; KLPF, Minot; KQV, Pittsburgh; WGNC, Gastonia-Charlotte; WMBO, Auburn; KOVC, Valley City; WFTC, Kinston; KABR, Aberdeen; KUTA, Salt Lake City; WRJN, Racine; KRBC, Abilene; KAND, Corsicana; KEUF, Galveston; KFYO, Lubbock; KABC, San Antonio; KCMC, Texarkana; WACO, Waco.

Harmony on F.C.C. Foils Shakeup Plan

(*Continued from page 1*)

that any dropping of the plan will be due to unwillingness to stir up a radio "mess" just before the presidential campaigns, in which extensive use will be made of broadcasting time.

Whether critics of the F.C.C. who have long agitated for a thorough investigation will accept such a plan remains to be seen.

Fight Lottery Charge

BUFFALO, Dec. 7.—Not guilty pleas to indictments charging them with violation of anti-lottery laws, returned in connection with the operation of games, have been entered before County Judge Frank B. Thorn. Defendants are William Richter, Thomas C. Smith, Henry Smith and Old Vienna, Inc., operators of the Gayety.

Doob on Tour Sunday

Oscar A. Doob, Loew's advertising and publicity director, leaves Sunday to confer with the circuit's managers in Nashville, Memphis and New Orleans, making the trip by plane. He will attend the Dec. 15 premiere of "Gone With the Wind" in Atlanta.

See HERE

HOW WARNERS WILL TOP FOUR DAUGHTERS' FOR BUSINESS WITH

"FOUR WIVES" FOR XMAS



Buffalo, Shea's Court St.
Cleveland, Colony
Detroit, United Artists
Philadelphia, Uptown
Pittsburgh, Schenley • *Chicago,* Esquire • *Indianapolis,* St. Clair
Milwaukee, Garfield
Minneapolis, Park • *Des Moines,* Ingersoll • *Memphis,* Linden Circle • *Omaha,* Dundee
St. Louis, West End • *Dallas,* Tower
New Orleans, Orpheum • *Oklahoma City,* Tower • *Los Angeles,* Fox Boulevard • *Salt Lake City,* Studio
San Francisco, Alhambra • *Seattle,* Roosevelt • *Toronto,* Village
Cincinnati, RKO Orpheum
Washington, Ambassador
Albany, Madison • *Atlanta,* Paramount • *Denver,* Broadway • *New Haven,* Vitagraph Exchange • *Boston,* Cinema • *Kansas City,* Edison Hall • *Portland,* Broadway

TRADE SHOWS DEC. 12

IT'S THE SEQUEL!



IT'S SEN-SATIONAL!

Priscilla Lane
Rosemary Lane
Lola Lane • Gale Page
"FOUR WIVES"
with Claude Rains
JEFFREY LYNN • EDDIE ALBERT
MAY ROBSON • FRANK McHUGH
DICK FORAN • HENRY O'NEILL
The Character of "Mickey Borden," as He Appeared in "Four Daughters," is Portrayed by
JOHN GARFIELD
DIRECTED BY MICHAEL CURTIZ
Screen Play by Julius J. and Philip G. Epstein and Maurice Hanline • Suggested by the Book, "Sister Act," by Fannie Hurst • Music by Max Steiner
A Warner Bros.-First National Picture

MOTION PICTURE DAILY'S BOOKING CHART

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Nov. 3	The Stranger from Texas	Ninotchka *Greta Garbo Melvyn Douglas*	Heroes in Blue *Dick Purcell* Fighting Mad *James Newill*	Law of the Pampas *William Boyd Russell Hayden*	Main Street Lawyer *Edward Ellis Anita Louise*	Flying Deuces *Laurel & Hardy* Marshal of Mesa City *George O'Brien*	Heaven with Barbed Wire Fence *Jean Rogers*		Call a Messenger The Road Back Legion of Lost Flyers *Richard Arlen*	Kid Nightingale *John Payne Jane Wyman*
Nov. 10	Blondie Brings Up Baby *Penny Singleton*	Remember? *Robert Taylor Greer Garson*	The Phantom Strikes *Wilfred Lawson* Raiders Over England	Cat and the Canary *Bob Hope Paulette Goddard*	Rovin' Tumbleweeds *Gene Autry* The Covered Trailer *Gleason Family*	Allegheny Uprising *John Wayne Claire Trevor*	Drums Along the Mohawk *Henry Fonda Claudette Colbert*		First Love *Deanna Durbin* One Hour to Live *Doris Nolan*	Private Lives of Elizabeth and Essex *Bette Davis Errol Flynn*
Nov. 17		Another Thin Man *William Powell Myrna Loy*		Rulers of the Sea *Douglas Fairbanks, Jr.*	Saga of Death Valley *Roy Rogers*	Meet Dr. Christian *Jean Hersholt*	Too Busy to Work *Jones Family*		Tower of London *Basil Rathbone*	Dead End Kids on Dress Parade
Nov. 24	The Amazing Mr. Williams *Joan Blondell Melvyn Douglas*	Secret of Dr. Kildare *Lew Ayres Lionel Barrymore*	Roll, Wagons, Roll *Tex Ritter*	Our Neighbors, the Carters *Frank Craven Fay Bainter*		That's Right, You're Wrong *Kay Kyser Adolph Menjou*	Day-Time Wife *Tyrone Power Linda Darnell*		The Big Guy *Victor McLaglen Jackie Cooper*	We Are Not Alone *Paul Muni Jane Bryan Flora Robson*
Dec. 1	Cafe Hostess *Preston Foster Ann Dvorak*	A Call on the President *Ann Sothern Louis Stone*	Yukon Flight *James Newill*	Night of Nights *Pat O'Brien Olympe Bradna*	Cowboys from Texas *The Three Mesquiteers Carol Landis*	Reno *Richard Dix Gail Patrick*	City in Darkness *Sidney Toler* Inspector Hornleigh on Holiday		Laugh It Off *Johnny Downs Constance Moore*	Return of Dr. X *Humphrey Bogart Rosemary Lane*
Dec. 8	Fugitive at Large *Jack Holt* Taming of the West *Bill Elliott*	Henry Goes Arizona *Frank Morgan Virginia Weidler*	West of the Divide *John Wayne* Lucky Texan *John Wayne*	Llano Kid *Tito Guizar Gale Sondergaard*		Two Thoroughbreds *Jimmie Lydon Joan Brodel*	Barricade *Alice Faye Warner Baxter*		Man from Montreal *Richard Arlen Andy Devine*	Private Detective *Jane Wyman Dick Foran*
Dec. 15		Nick Carter—Master Detective *Walter Pidgeon Rita Johnson*	Gentleman from Arizona *Craig Reynolds* Westbound Stage *Tex Ritter*	All Women Have Secrets *Virginia Dale Joseph Allen, Jr.*	South of the Border *Gene Autry June Storey*		The Honeymoon's Over *Stuart Erwin Marjorie Weaver*		Missing Evidence *Preston Foster Irene Hervey*	The Mad Empress *Medea Novara Lionel Atwill*
Dec. 22	My Son Is Guilty *Bruce Cabot Jacqueline Wells*	Judge Hardy & Son *Mickey Rooney Lewis Stone*	Four Just Men *Frank Lawton*	Gulliver's Travels *Lanny Ross Jessica Dragonette*	Money to Burn *Higgins Family*	Escape to Paradise *Bobbie Breen Kent Taylor*	Everything Happens at Night *Sonja Henie*	Send Another Coffin *Ruth Terry Pat O'Brien*	Charlie McCarthy, Detective *Edgar Bergen*	Four Wives *Lane Sisters Gale Paige*
Dec. 29	His Girl Friday *Cary Grant Rosalind Russell*	Balalaika *Nelson Eddy Ilona Massey*		The Great Victor Herbert *Walter Connolly Mary Martin*	Days of Jesse James *Roy Rogers* Woman Who Dared *Charles Bickford*	Hunchback of Notre Dame *Charles Laughton*	The Cisco Kid and the Lady *Cesar Romero Marjorie Weaver*	Rebecca *Lawrence Olivier Joan Fontaine Judith Anderson*	Destry Rides Again *Marlene Dietrich James Stewart*	Invisible Stripes *George Raft Jane Bryan*
Jan. 5	Two-Fisted Rangers *Charles Starrett Iris Meredith*	The Earl of Chicago *Robert Montgomery Edward Arnold*	Danger Ahead *James Newill*	Emergency Squad *William Henry Louise Campbell*		Legion of the Lawless *George O'Brien*	Swanee River *Don Ameche Andrea Leeds*		Framed *Constance Moore Johnnie Downs*	A Child Is Born *Geraldine Fitzgerald Jeffrey Lynn*

Paramount Pictures

Book these PARAMOUNT SHORTS when you book your features!

DECEMBER 8 Cinecolor POPULAR SCIENCE #3

DECEMBER 8 Color Cruise CUBA

DECEMBER 15 Grantland Rice Sportlight JUDO EXPERTS

DECEMBER 22 Paragraphic WINDWARD HOI

100% BOX OFFICE tested

'Smith' Holds Lead in Hub With $26,000

BOSTON, Dec. 7.—"Mr. Smith Goes to Washington," dualing with "Five Little Peppers" at Loew's Orpheum and State, was still on top with $26,000. The respective grosses were $16,000 and $10,000.

Estimated takings for the week ending Nov. 29:

"The Escape" (20th-Fox) (4 days with vaude.)
"Danger Flight" (Mono.) (4 days with vaude.)
"The Day the Bookies Wept" (RKO) (3 days) (2nd run)
"Full Confession" (RKO) (3 days) (2nd run)
RKO KEITH BOSTON—(3,000) (25c-30c-35c-40c). Gross: $9,000. (Average, $8,000)
"Allengheny Uprising" (RKO)
"Little Accident" (Univ.)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days. Gross: $15,000. (Average, $14,500)
"Drums Along the Mohawk" (20th-Fox)
"Too Busy To Work" (20th-Fox)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Both 2nd runs. Gross: $9,000. (Average, $7,500)
"Drums Along the Mohawk" (20th-Fox)
"Too Busy To Work" (20th-Fox)
FENWAY—(1,382) (25c-35c-40c-55c) 7 days. Both 2nd run. Gross: $5,000. (Average, $4,500)
"We Are Not Alone" (W. B.)
"The Honeymoon's Over" (20th-Fox)
METROPOLITAN — (4,332) (25c-35c-40c-55c) 7 days. Gross: $15,500. (Average, $14,500)
"Mr. Smith Goes To Washington" (Col.)
"Five Little Peppers" (Col.)
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $16,000. (Average, $14,500)
"Mr. Smith Goes To Washington" (Col.)
"Five Little Peppers" (Col.)
LOEW'S STATE—(3,000) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $10,000. (Average, $11,000)
"The Roaring Twenties" (W. B.)
"They Shall Have Music" (U. A.)
SCOLLAY — (2,500) (25c-35c-40c-55c) 7 days. Both 2nd run. Gross: $5,500. (Average, $4,000)

'Rulers' at $4,900 In Oklahoma City

OKLAHOMA CITY, Dec. 7.—"Rulers of the Sea" led here with $4,900 at the Midwest.

Estimated takings for the week ending Nov. 30:

"Disputed Passage" (Para.)
CRITERION—(1,500) (25c-35c-40c) 7 days. Gross: $4,600. (Average, $4,500)
"What A Life" (Para.)
"Television Spy" (Para.)
LIBERTY—(1,200) (15c-20c-25c) 7 days. Gross: $2,500. (Average, $2,400)
"Rulers of the Sea" (Para.)
MIDWEST—(1,500) (25c-35c-40c) 7 days. Gross: $4,900. (Average, $4,000)
"First Love" (Univ.)
PLAZA—(750) (25c-35c-40c) 7 days. Gross: $900. (Average, $1,100)
"They Shall Have Music" (U. A.)
STATE — (1,100) (20c-25c-40c) 7 days. Gross: $2,300. (Average, $3,000)
"Honeymoon In Bali" (Para.)
TOWER—(1,000) (25c-35c-40c) 7 days, 2nd week. Gross: $1,600. (Average, $1,750)

Shoot Scenes Here For Johnson Film

Osa Johnson shot scenes yesterday at the American Museum of Natural History for her forthcoming Columbia picture, "I Married Adventure." She appeared with Trubee Davidson, president of the musuem.

The scenes will form the introduction to Mrs. Johnson's picture, featuring her life with her late explorer-husband, Martin Johnson, in expeditions to the South Seas, Borneo and Africa. "I Married Adventure" will be an early 1940 Columbia release.

Hollywood Review

"The Gentleman from Arizona"

(*Monogram*)

HOLLYWOOD, Dec. 7.—Produced by Charles Goetz, ice manufacturer of Phoenix, Ariz., this is the first of four films contemplated both as features for the entertainment market and by way of demonstrating the virtues of Arizona as a seat of production. The film is in color and compares favorably with much western product produced in and around Hollywood, although somewhat less tightly constructed as to story and somewhat more leisurely in lens canvassing of natural backgrounds.

John King and J. Farrel MacDonald are best known of the Hollywood players imported by Goetz, the large cast including many, such as diminutive Ruth Reece, who have Arizona followings of one kind and another. King and Miss Reece sing several songs, an entertainer, named in both film and credits as Adrianna, both sings and dances, and there is orchestral music in the Spanish manner on the expansive grounds of the Phoenix Biltmore. Arizona is present as an extremely attractive place, both in town and on the range, convincingly.

Earl Haley, who wrote the story and directed the film, uses a horse, Rex, Jr., to open and close the picture, furnishes the best entertainment of the production in a horse race (The Phoenix Handicap) for the closing sequence. This is handled not dissimilarly to previous handlings, the winning of the race saving the ranch for the heroine's father, exposing the villain, vindicating the hero and so on. It generates considerable interest for its own sake, however. The picture's strong point throughout is the use of color on fascinating exteriors.

Running time, 73 minutes. "G."* ROSCOE WILLIAMS

*"G" denotes general classification.

'Thin Man' Smash $23,000, Cleveland

CLEVELAND, Dec. 7.—"Another Thin Man" gave Loew's State a smashing eight-day take of $23,000 and its best week in two years.

Estimated takings for the week ending Nov. 30:

"Drums Along the Mohawk" (20th-Fox)
ALLEN—(3,000) (30c-35c-42c) 7 days, 3rd week. Gross: $3,000. (Average, $4,000)
"The Private Lives of Elizabeth and Essex" (W. B.)
WARNER'S HIPPODROME—(3,800) (30c-35c-42c) 7 days. Gross: $11,000. (Average, $11,000)
"On Dress Parade" (W. B.)
RKO PALACE—(3,100) (30c-42c-55c) 7 days. Stage Show. Gross: $13,000. (Average, $14,000)
"Another Thin Man" (M-G-M)
LOEW'S STATE—(3,500) (30c-35c-42c) 8 days. Gross: $23,000. (7 day average, $11,000)
"Disputed Passage" (Para.)
LOEW'S STILLMAN—(1,900) (30c-35c-42c) 7 days, 2nd week. Gross: $4,500. (Average, $4,000)

'Thin Man' $14,500 For Indianapolis

INDIANAPOLIS, Dec. 7. — "Another Thin Man" led a powerful Thanksgiving week among the first runs, giving Loew's smash business of $14,500.

Estimated takings for the week ending Dec. 1:

"First Love" (Univ.)
APOLLO—(1,100) (25c-40c) 7 days, 2nd week. Gross: $2,200. (Average, $2,500)
"On Dress Parade" (W.B.)
CIRCLE—(2,800), (25c-40c) 7 days. Stage: Martha Raye and show. Gross: $11,000. (Average, $6,000)
"That's Right, You're Wrong" (RKO)
"Meet Dr. Christian" (RKO)
INDIANA—(3,200) (25c-40c) 8 days. Gross: $8,000. (Average, $5,000)
"Another Thin Man" (M-G-M)
"Bad Little Angel" (M-G-M)
LOEW'S—(2,800) (25c-40c) 8 days. Gross: $14,500. (Average, $7,000)
"Main Street Lawyer" (Rep.)
LYRIC—(2,000) (25c-40c) 7 days. Stage: Mary Carlisle, Jack Haley and show. Gross: $12,000. (Average, $8,000)

Pathe Bowlers Win

Pathe's bowling team, of which George Ronan is captain, defeated the RKO five by 50 pins in a match Wednesday night.

Realign Officers

Realignment of officers of French Cinema Center, Inc., has been effected as follows: Andre R. Heymann, president; Paulette Arnaud, vice-president; Herman G. Weinberg, publicity director; Charles Jahrblum, film editor. Oliphant & Lerman have been retained as attorneys.

Newsreel Parade

Newsreels for their new issue war coverage concentrate primarily on activities at sea, particularly the various ships hit by mines. There is little shown of the hostilities between Russia and Finland.

MOVIETONE NEWS, No. 26 — British officials on Western front. Holland floods lowlands. Polish ships in British navy. Italian liner damaged by mine. British mine sweeper sunk. Air raid defenses at Firth of Forth. Healthiest children chosen. Girl students get flying instructions. Ski jump exhibition in Boston. Horse race in Australia. Tulane vs. S. M. U. and Kentucky vs. Tennessee football games.

NEWS OF THE DAY, No. 224—British mine sweeper blown up. Italian steamer split by mine. Jap and Dutch ships sunk, survivors of *Simon Bolivar* land in England. Kermit Roosevelt in British army. Czechs in France form army. Holland opens dikes. Fritz Kuhn found guilty. Health champs chosen. Ambassador Kennedy returns. Skiing.

PARAMOUNT NEWS, No. 29 — New trains for New York-Miami run. Reno now marriage center. Patrol activity on Front. Polish destroyers join British fleet. Italian and British ships damaged by mines. Survivors of mined ship arrive in England. Football star wins trophy and Paramount's All-America certificate.

RKO PATHE NEWS, No. 41 — French towns become artillery objectives. German planes shot down in France. Czechs and Poles prepare to fight. Finland fortifies natural defenses. Ambassador Kennedy returns to U. S. *Simon Bolivar* survivors in England. Streamline trains for New York-Miami run. Australia horse racing.

UNIVERSAL NEWSREEL, No. 830—Marines in birthday parade. Army heads discuss defenses. Kennedy returns from Europe. Weight lifting contest. Healthiest children chosen. Co-eds learn to pilot planes. Hat styles. Jap liner sunk by mine. Czech army in France.



DU PONT

ANNOUNCING

Superior-2

Faster and Finer Grained

Du Pont Superior-2 is a new panchromatic negative for general production use. It is twice as fast as the familiar Superior Pan-100 type (now to be known as Superior-1). Yet the grain size is perceptably finer.

Superior-2 retains the wide latitude, long scale gradation and ability to render shadow detail that have established Superior-1 as a photographic material of outstanding excellence. For practical purposes the developing characteristics of the two films are identical. We invite you to try Superior-2 (type 126) on your next production.

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 113 NEW YORK, U.S.A., MONDAY, DECEMBER 11, 1939 TEN CENTS

Product Cost Must Be Cut, Warns Kent

Future Depends on War's Effects, Says Fox Chief

Production costs must come down at least 25 per cent, said Sidney R. Kent, president of 20th Century-Fox, before leaving Friday night for studio conferences which start today.

"Present world-wide conditions make it necessary to readjust the whole financial structure of production," he said.

This does not mean that 20th Century-Fox will make fewer pictures for 1940-'41, or that quality will be lowered, Kent continued, but it does indicate that expenditures will have to be geared to a reasonable level.

"We can't say now how many pictures we will make or what the budget will be," said Kent. "This will depend on future revenue of the company. These factors will be determined during the year. No long-range plans can be made at this time because no one knows what will happen to our foreign markets as a result of the war."

In connection with discussions among industry executives regarding the production of "fewer but better" pictures, Kent declared it does not necessarily follow that a smaller production program results in superior

(*Continued on page 4*)

CIO Drops Drive In Theatre Field

The C.I.O. has withdrawn from the field of organizing theatre employees, it was disclosed by officials of the United Retail & Wholesale Employees Union over the weekend.

The U. R. & W. E. U. had chartered the Theatrical Service Employees Union, Local 258, in June of this year with jurisdiction to organize all theatre employees, including projectionists, ushers, cashiers, doormen and matrons.

In response to a demand by Empire State Operators Union, and Projectionists Union, Local 306, that the C.I.O. withdraw its organizers, James Cooney, U. R. & W. E. U. vice-president, advised William Santarsiero, Empire State recording secretary, that the charter had been revoked. No official of Local 258 could be reached for comment on the revocation.

Ushers and service employees called

(*Continued on page 2*)

3 Loew Theatres Will Show 'Wind' After Broadway

Paladise, Valencia and the Metropolitan in Brooklyn, Loew theatres, will have the first New York subsequent runs of "Gone With the Wind." These day-and-date engagements will start from four to six weeks after the opening of the film at the Astor and Capitol on Broadway Dec. 19.

The picture is expected to run at least six weeks at the Capitol, and it may go nine or 10 weeks. The $2.20 run at the Astor may extend to late in 1940, according to present expectations.

Following the opening of 10 test engagements in seven key cities by Dec. 29, there will be no other engagements until Jan. 18. On that date and on Jan. 25 "Gone With the Wind" will open in the additional 25 exchange centers. Starting Feb. 1, regular runs in other key cities will follow. Loew theatres will have priority on the pic-

(*Continued on page 4*)

Columbia Division Sales Meetings Set

Columbia will hold four divisional sales meetings during January to discuss sales policies on the company's forthcoming product and to effect a closer link between home office and field sales directors, Abe Montague, general sales manager, stated over the weekend.

First of the meetings will be held in Washington, Jan. 6 and 7, with Montague presiding. The meeting will be for the mid-East division, of which Sam Galanty is manager. It will in-

(*Continued on page 4*)

Grand National Hit By $10,000,000 Suit

A $10,000,000 stockholders' suit was filed Saturday in N. Y. Supreme Court against Educational Pictures, Grand National, 17 individuals and 15 subsidiary companies by F. Reynault Fairchild and Sara Ruth Spewack. The suit alleges present reorganizations are improper.

Film, Radio Patents Face U. S. Inquiry; Jury to Act Here

WASHINGTON, Dec. 10.—A Federal grand jury investigation of the use of patents, patent pooling agreements and patent licensing agreements, "by which certain industries are controlled or dominated by one or several large companies," will be initiated soon in New York, it was disclosed Saturday.

The Department of Commerce plans

(*Continued on page 8*)

"Fantasia" Is Next Feature by Disney

Hal Horne, vice-president of Walt Disney Productions, left Friday night for the coast to confer with Disney on his third feature-length cartoon, which is in production and planned for release in November, 1940.

The film will be based on a symphonic arrangement by Leopold Stokowski titled "Fantasia." This will be the first film, said Horne, for which the score was recorded before camera work started. Stokowski made the recording with the Philadelphia Symphony Orchestra last March.

RKO Hurdling Final Bars To Atlas Financing Offer

Continued progress toward completion of the study which will make possible the drafting of a new offer by Atlas Corp. to underwrite $1,500,000 of new RKO common stock was reported following a meeting of the company's board of directors on Friday.

The board will meet again today in a final attempt to clear the way for the new offer prior to tomorrow's adjourned court hearing before Federal Judge Bondy who last week asked that the new proposal be presented promptly. He warned that subsequent adjournments of the hearings would be granted only for progressively shorter periods than one week if an offer was not forthcoming at once.

RKO officials were not without some hope that the new underwriting offer might be completed today in time for presentation to Judge Bondy tomorrow. Other sources, however, although conceding this possibility, appeared more inclined to believe that counsel for Atlas would be obliged to

(*Continued on page 4*)

RKO To Have Policy of 50-50 on 'Pinocchio'

Picture Must Be Shown As Single Feature

"Pinocchio," the new Walt Disney feature-length color cartoon, will be sold by RKO on a 50-50 basis and its exhibition will be restricted to single feature programs, Ned E. Depinet, RKO vice-president and distribution head, stated Friday.

The sales policy for the picture, in addition, requires extended playing time from the exhibitor and bars any deal except on the company's percentage terms. In other words, the picture will not be sold on flat rental to any theatre, regardless of run. Uniform terms of 50 per cent of the gross receipts will apply everywhere.

The policy was determined Friday following lengthy conferences between George Schaefer, RKO president, Depinet, and Hal Horne, Eastern manager for Walt Disney Productions.

It is based entirely upon the experience of the producer and distributor in the selling of Disney's "Snow White and the Seven Dwarfs," which was also sold at 50 per cent and in many instances restricted to a single feature program.

Since "Pinocchio" cost more to produce than "Snow White" RKO and

(*Continued on page 4*)

Erpi Will Aid GN, Says Stevenson

Erpi is anxious to see the Grand National refinancing plan consummated and will cooperate to the fullest in attaining that end, T. Kennedy Stevenson, Erpi president, told MOTION PICTURE DAILY over the weekend.

Similar information will be given to the adjourned meeting of Grand National creditors before Peter B. Olney, referee in bankruptcy, this morning.

Erpi's attitude will be made clear to the creditors today since Stevenson was called out of town on Saturday, preventing him from attending the meeting of Grand National financing principals and creditors' representatives which had been suggested for that day by Referee Olney.

The meeting was designed to determine the attitude of Erpi and the Reconstruction Finance Corp. toward the Grand National refinancing, after testimony at the last creditors' meeting

(*Continued on page 2*)

Purely Personal

NICHOLAS M. SCHENCK, president of M-G-M, left Friday night for the coast with Mrs. Schenck on a routine visit to the studio. He is due back in about a week.

•

ALEXANDER KORDA postponed his scheduled departure for Europe on the *Dixie Clipper* yesterday when he was delayed on the Coast for a second time. He may leave tomorrow on the *American Clipper*.

•

FRANK BURNS, RCA Photophone assistant vice-president on the Coast, and WILLIAM BULLOCK, Hollywood executive, are visiting the company's home office in Camden, N. J., for about a week.

•

STUART HEISLER, director, and HARVEY DWIGHT returned to the Paramount Coast studios Friday following a two-and-a-half-month stay in Albany, Ga., on location.

•

SAM M. MOSCOW, Columbia divisional manager in Atlanta, has been appointed an honorary colonel on the staff of Governor Rivers.

•

F. J. A. MCCARTHY, Universal Eastern and Southern sales manager, is expected back in New York today from a southern trip.

•

JIMMY MCHUGH, songwriter who has just finished work for Paramount, is en route here from the Coast for a stage assignment.

•

MARY WHEELOCK, MOTION PICTURE DAILY correspondent in Des Moines, has recovered from an attack of bronchitis.

•

JACK COHN, Columbia vice-president, is expected back from the Coast within the next few days.

•

ESTELLE TAYLOR and JIM BARTON head the stage show at Loew's State beginning next Thursday.

•

CHARLES K. STERN, Loew's assistant treasurer, celebrates a birthday today.

•

NATE J. BLUMBERG, Universal president, is due from the Coast late this week.

•

BORRIS MORROS is expected to return to the Coast in a week or 10 days.

•

SAM WOOD returned to the Coast over the weekend.

•

FRED KOHLER, JR., is in New York on vacation.

•

ARCHIE MAYO is in town.

SCRATCHES
On Film Can Be Removed Only by
AMERICAN RECONO, INC.
245 W. 55th St., New York, N. Y.
Negative — Positive — Color Film Rejuvenated

CIO Drops Drive In Theatre Field

(*Continued from page* 1)

a strike at RKO houses in Manhattan during the Summer but the strike was unsuccessful. Later Local 258 obtained contracts for projectionists in several independent houses and complaints were filed by Empire State and Local 306, with the State Labor Relations Board. Protests were also made to national officers of the C.I.O. and U.R. and W.E.U.

The I.A.T.S.E. undertook the organization of house employees other than projectionists in September when locals B-170 and B-171 were chartered.

New Goldwyn Post Given to Roosevelt

HOLLYWOOD, Dec. 10.—James Roosevelt returned here Friday and Samuel Goldwyn announced that the directors of Goldwyn Studios have elected Roosevelt president of the studio's company which owns the plant at Formosa Ave. and Santa Monica Blvd., now used by Walter Wanger and Sol Lesser as well as Goldwyn. This presidency is in addition to continuing as vice-president of the Goldwyn company.

CLIFFORD GOLDSMITH, author of the Broadway stage play, "What a Life," is in Hollywood under contract as a script writer to Paramount.

•

NATHAN NATHANSON, managing director of Famous Players Canadian, Ltd., left Hollywood Friday on his return to New York.

•

ROBERT T. KANE, in charge of 20th Century production in England, arrived Saturday on the *American Clipper*.

•

WILLARD C. PATTERSON is at Palm Springs, Cal., for a vacation.

•

SOL LESSER left for Philadelphia Friday.

•

LEO MORRISON returned to the Coast over the weekend.

•

HARRY GOLDBERG, Warners advertising and publicity chief, addressed a girls' college in Philadelphia Friday.

•

WILLIAM J. KUPPER, 20th Century-Fox division manager, has returned from the South.

•

ILONA MASSEY arrived from the Coast Friday.

25th Term

San Francisco, Dec. 10.—Clarence King, treasurer of Musicians' Local No. 6 for 24 years, has been renominated without opposition for his 25th term. President Walter A. Weber, who has served as union chief for 18 of the last 19 years, is opposed by Elmer Hubbard, whom he defeated by 54 votes last year.

Miles Back as Chief of Goldwyn Publicity

HOLLYWOOD, Dec. 10.—John Peere Miles has been re-named advertising and publicity director for the Samuel Goldwyn studio, succeeding Fred Storm, resigned. Storm replaced Miles in the post last August and the latter served as Storm's aide during his four months' tenure.

Jerry Dale, who left the Goldwyn publicity staff when Storm took over, has resumed his post as assistant to Miles.

Storm, now in New York, was a former United Press correspondent in Washington. It is reported that he has taken a job with the Philadelphia *Record*.

Pick Rice Director of Investors Union

Bernard Rice, accountant for the Associated Actors & Artistes of America, who served as accountant in the Loew's stockholders' action, has been named executive director of the newly organized American Investors Union, which will analyze security issues in the amusement and other industrial fields.

Board members of the organization include John T. Flynn, financial writer; George Seldes, Paul Kern, president of the Civil Service Commission; City Councilman Robert Straus and Colston Warne, professor of economics at Amherst.

Three Firms Chartered

ALBANY, Dec. 10.—Three film firms have been incorporated here: Ruth Theatres, Inc., Schenectady, by Samuel E. Rosenblatt and Ruth C. Rosenblatt; Jubilee Pictures Corp., New York, by Joan Kaufman, Murray L. Karp and Lillien Isaacs, and Burton Amusement Corp., Brooklyn, by David Easton, Mae Lerhinan and Leah Ackerman.

Erpi Will Aid GN, Says Stevenson

(*Continued from page* 1)

to show that each principal was waiting upon the other to act.

The R.F.C. has indicated a willingness to loan Educational $450,000 for Grand National refinancing provided $150,000 is obtained elsewhere. Erpi is willing to advance $100,000 of this amount if the proper preparatory arrangements are made. Earl W. Hammons, Educational-Grand National president, has completed preliminary arrangements to obtain the other $50,000.

"Erpi does not want this matter delayed and we are not contributing to whatever delay may have occurred," Stevenson said. "We have done business with Hammons for many years and we think his companies should survive. Frankly, we admire Hammons, his nerve and the fight he has put up to keep his companies alive.

"I believe that something can be worked out if the creditors don't rock the boat. They will benefit if the deal is worked out. It it doesn't go through, no one will get anything."

"The creditors have no direct interest in our negotiations with Hammons and have no right to participate in those negotiations," he said. "We are not under court supervision and our negotiations are with a solvent company (Educational) to whom the loan would be made."

Stevenson denied a published report that Erpi intended to take over the Grand National studio in Hollywood if the refinancing plan was not consummated.

"We have no such plan, whether the refinancing goes through or not," he said. "We have our own General Service studio in Hollywood and it is entirely adequate for our purposes."

Group Takes Belmont

A new group headed by Transatlantic Films, distributors of French films, has taken over the Belmont for a season of French films. "Last Desire," by Liam O'Flaherty, will be the opening film on Dec. 19.

Linz on Dallas Journal

DALLAS, Dec. 10.—Joe Linz, formerly on S. Barret McCormick's publicity staff at RKO, has been appointed amusement editor of the Dallas *Journal*. He had been with RKO several years.



Christmas is laughing time!
"JUDGE HARDY AND SON"
from M-G-M

MOTION PICTURE DAILY
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I'M GOING TO LET THIS BOY DIE!

"I can beat life—with his life! It's my chance to play heel and win a fortune. Why should I play sap—and lose it—just to save some kid!

VICTOR McLAGLEN · JACKIE COOPER

"THE BIG GUY!"



with
Ona MUNSON
Peggy MORAN · Edward BROPHY
Screenplay by LESTER COLE
Based on a story by Wallace Sullivan and Richard K. Polimer
Directed by ARTHUR LUBIN
Associate Producer: BURT KELLY

UNIVERSAL'S HEART-DRUMMING DRAMA BRINGS YOU A McLAGLEN EXTRAORDINARY, A COOPER WHO WILL STARTLE THE COUNTRY WITH HIS NEW-FOUND PERFORMANCE POWER!

A UNIVERSAL PICTURE

PRINTS IN YOUR EXCHANGE NOW!

Product Cost Must Be Cut, Warns Kent

(Continued from page 1)
quality. He said he knows of cases in the past where companies drastically reduced the number of pictures but turned out inferior product.

In the train party, besides Mr. and Mrs. Kent, were Charles E. McCarthy, director of advertising and publicity, and Sidney Towell, treasurer. They will start discussions on next season's production program and budget with Joseph M. Schenck, chairman of the board, and Darryl F. Zanuck, production chief.

Herman Wobber, general manager of distribution, left Saturday by plane and will join the studio meetings after a short visit at his home in San Francisco.

The conferences will also deal with distribution, advertising and publicity plans for "Grapes of Wrath," "The Blue Bird" and other forthcoming product.

RKO Clearing Up Refinancing Bars

(Continued from page 1)
go into court tomorrow and ask for another adjournment of the hearing.

It is believed, however, that in this case the preparatory work will be so well advanced that counsel will be in a position to inform the court of the definite date on which the proposal will be in final form.

Meanwhile, reorganization attorneys are hopeful that the decision of the U. S. Supreme Court on the certiorari petition of H. Cassel & Co., RKO creditor, will be handed down today. If the high court refuses to review the order confirming the RKO reorganization plan, action on the new underwriting proposal and on consummation of the plan would be expedited by two to four months, attorneys believe.

National Theatres Post to Alperson

Edward L. Alperson, formerly president of Grand National, has joined National Theatres as assistant to H. J. Fitzgerald, general manager of Wisconsin Amusement Enterprises, National's Milwaukee division. At one time he was assistant to Spyros Skouras in charge of buying in the Warner Theatre department and later handled buying for Skouras Theatres.

Yiddish Title Change

Elite Productions has changed the title of its new Yiddish language musical from "Forsake Me Not" to "The Ghetto Singer." The change of title for the film featuring Moishe Oysher, Helen Beverly and Leonard Elliott, was due to the fact that another producer owned the previous one.

Brown Joins Warners

HOLLYWOOD, Dec. 10. — George Brown, who resigned as Columbia studio head of advertising and publicity, has joined Warner publicity staff to handle campaign on "Poor, Married and Pretty."

Fox May Merge All Sales Conventions

If the European war is still on in the Spring, the domestic and foreign sales conventions of 20th Century-Fox next year probably will be consolidated, with the overseas representatives coming to the United States.

S. R. Kent, president, is considering this as a means of mobilizing the world-wide sales forces in order to be better equipped to cope with the ever-changing economic situation.

In the past the British, Continental Europe, Latin American and Australasian organizations have held separate conventions.

Agents and Equity Battle Over Rules

Revision of the rules covering agents by Actors Equity is expected in several weeks as a result of a series of meetings between an Equity committee and the agents.

The Equity council has made several announcements to members in the past year to call attention to the fact that agency rules were being violated. Agents, on the other hand, contend that Equity's rules are too stringent. The right to charge 10 per cent is sought by agents.

Existing rules provide that Equity members may deal only with agents who hold permits from the union. These agents are divided into three categories.

The first category—employment agents—may charge no more than five per cent of an actor's salary for a period not exceed 10 weeks. The second category—special employment representatives—must be prepared to give more personal and more expert service than employment agents. They must personally negotiate all details of the contract and obtain a salary of at least $125 a week for the actor.

If all requirements are fulfilled, special employment representatives are permitted to charge five per cent for the run of the play.

The last category is for personal representatives and is the only one permitted to charge 10 per cent on all income from all engagements. It is a category for which there are almost no permits outstanding.

Personal representatives must guarantee to actors who use their services a minimum of 20 weeks' employment during a season, at not less than the actor's average salary for the past three years. In no event is the minimum permitted to be less than $100 weekly.

Theatre Smoking Ban

Mayor LaGuardia has signed the law prohibiting smoking in theatres except in specified sections. He recommended to the City Council that the law be amended to allow film theatres without balconies to set aside a section for smoking in the orchestra. In legitimate theatres and opera houses smoking is permitted in lobbies and designated smoking and rest rooms.

3 Loew Theatres Will Show 'Wind' After Broadway

(Continued from page 1)
ture, then regular M-G-M accounts.

Purpose of the tests is to determine the proper method of handling in various types of situations.

Showing of the film in the 32 distribution centers ahead of regular runs is expected to exert a spreading influence in surrounding territories and thus cumulatively around the country.

Ticket sales at the Astor, which began Dec. 1, started at about $5,000 daily and increased to about $6,000 a day later in the week. By today sales were expected to total close to $40,000. All seats for the first two weeks are reported sold. The sale is eight weeks in advance, and orders are coming in for March. Mail applications, many from outside New York, are reported heavy.

In Atlanta, where the ticket sale started more than two weks ago, the total to date is reported as more than $40,000. The film will have its world premiere at Loew's Grand in that city next Friday night.

A press preview for New York critics will be held at the Astor here next Monday night.

Columbia Division Sales Meetings Set

(Continued from page 1)
clude representatives from the Cincinnati, Cleveland, Pittsburgh and Washington branches.

The second will be held in Chicago, Jan. 13 and 14, for the midwestern and central divisions, of which Phil Dunas and Carl Shalit are managers. Represented will be the Chicago, Detroit, Milwaukee, Des Moines, Minneapolis, Kansas City and St. Louis branches.

The third meeting is scheduled for Jan. 17 and 18 in Dallas, for the southern division. It will include the Atlanta, Charlotte, Memphis, Oklahoma City, New Orleans and Dallas branches. Sam Moscow is division manager.

The final meeting will be held in San Francisco, Jan. 27 and 28, for Jerome Safron's division, which includes the Denver, Los Angeles, Portland, Salt Lake City, San Francisco and Seattle branches.

Rube Jackter, assistant to Montague, will attend all of the meetings with him. Louis Astor, Lou Weinberg and Max Weisfeldt, other home office executives, will attend the mideastern division meeting at Washington.

Among the pictures on which selling policies will be set at the meetings are "Tree of Liberty," "His Girl Friday" and "Too Many Husbands."

Book "Peace on Earth"

"Peace on Earth," one-reel M-G-M cartoon which satirizes war, has been booked for the Christmas weekend in all houses of the Fox West Coast Circuit. The short will also be shown in Loew theatres during the holidays.

Zone Managers' Meeting

Joseph Bernhard, general manager of Warner Theatres, will preside at an annual meeting of zone managers at the home office tomorrow.

RKO To Have Policy of 50-50 on 'Pinocchio'

(Continued from page 1)
Disney will rely on wider distribution and increased patronage for a gross on "Pinocchio" greater than "Snow White's" record-setting $8,000,000. The requirement of extended playing time is expected to contribute importantly to the expected gross result.

Depinet said that an analysis of "Snow White" records demonstrated that "in more than 75 per cent of the theatres in which it played, it was not shown long enough to reap full benefits and accommodate those who chose to see it time and time again."

The picture will be released in February, preceded by one of the most ambitious advertising, publicity and exploitation campaigns in RKO and Disney history—campaigns which are under way already.

Depinet said that original plans to roadshow "Pinocchio" were abandoned in order to permit exhibitors to capitalize to the fullest on the exploitation campaigns which will reach their peak next month.

'U' Closes 40 Deals Away from Saegner

Universal has closed approximately 40 deals in Saenger Circuit territory since it began selling away from the dominant Gulf States circuit six weeks ago, William A. Scully, Universal vice-president and sales head, reported on his return to New York Friday from New Orleans.

Numerous additional deals in the territory are being negotiated, it was said. Universal will discuss five-year franchises with exhibitors in some localities in the territory, although none have been closed yet. Some of those which have been closed are for two-year periods. All are for the company's complete new season output.

Deals closed are in representative centers in Louisiana, Alabama and Mississippi.

All Catholics Renew Film Decency Pledge

Pastors in Roman Catholic churches throughout the country led their congregations yesterday in a renewal of the annual pledge not to attend motion pictures considered objectionable by the National Legion of Decency.

Fox Signs Artist

Thomas Hart Benton, celebrated American artist, has signed a contract with 20th Century-Fox to deliver six original lithographs to be used in advertising "The Grapes of Wrath." Benton, a friend of John Steinbeck, who wrote the book, is director of painting at the Kansas City Museum of Art.

Loew's Dividend

Loew's directors on Friday declared a dividend of 50 cents a share on the common stock, payable Dec. 30 to stockholders of record Dec. 19.

RING OUT THE OLD!....

SING IN THE NEW!....

with

SWANEE RIVER

in TECHNICOLOR

THE GREATEST
NEW YEAR'S
ATTRACTION IN
THE HISTORY OF
SHOW BUSINESS!

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Notes on Radio Personalities And Programs

An unusual public announcer hook-up has been arranged by WOR's p.a. department for the convention tonight of the Marketers' League of Standard Oil of New Jersey. The groups will meet in hotels in 10 New Jersey cities, and will hear addresses from the loud-speakers, with the voices carried on telephone wires.

Effective immediately, John E. Norton, Jr., has been appointed assistant to William S. Hedges, vice-president in charge of stations for NBC. Norton will function in Hedges' absence. In addition, Norton will continue his duties as manager of the Blue Network division of the stations department.

A. E. Joscelyn, CBS, Eastern sales manager, will succeed Lincoln Dellar as manager of WBT, Charlotte. Dellar resigned to go to KSFO, San Francisco. Howard Meighan, who has been in the sales department for five years, moves into Joscelyn's position as Eastern sales manager.

"Best Broadcasts of 1938-39," by Max Wylie, CBS director of scripts and continuity, will be placed on sale next Monday. Scripts of 32 separate programs of a wide variety "as broadcast" are included.

"The Aldrich Family" broadcasts over NBC-Red Sundays at 7 P.M. will originate from New York, starting Dec. 26. Ezra Stone returns after completing "At Good Old Siwash" for Paramount.

Philip J. McAteer, vice-president of Advertising Federation of America, will be the principal speaker on a new weekly series of programs on consumer information over the Yankee Network, starting Wednesday at 6:15 P.M. The series is designed to combat anti-advertising propaganda.

'Borrowed' Contest Won by Yearsley

William Yearsley, manager of the Circle in Philadelphia, won the $50 first prize in a contest on the selling of "On Borrowed Time" in the Stanley-Warner Philadelphia circuit, sponsored by M-G-M. A similar contest will be staged on "Ninotchka."

Other prize winners were: Jack Lexey, Kent; Haddon Matthews, 69th St. Theatre; Ray Meyer, Uptown; Richard Raesly, Imperial; Roland Haynes, Colonial, and Gerson Shalita, Bromley.

Nuovo Mondo Bankrupt

Federal Judge Coxe has ordered the completion of bankruptcy proceedings of Nuovo Mondo Motion Pictures, Inc., and approved the report of Referee Oscar W. Ehrhorn. Creditors will receive no distribution, the report stated.

Jane Withers Tour

HOLLYWOOD, Dec. 10.—Jane Withers, accompanied by her mother, will embark on a personal appearance tour following completion of "Shooting High" at 20th Century-Fox. She will open at Indianapolis Jan. 5 and continue to Akron and Youngstown.

Hollywood Reviews

"Joe and Ethel Turp Call on the President"

(M-G-M)

HOLLYWOOD, Dec. 10.—With the principals and supporting players so well cast as to make an audience forget that they have any background other than that supplied by their screen roles, and with their characters familiar, in advance, to the thousands of readers of Damon Runyon's Sunday column devoted to events in the lives of Joe and Ethel Turp, this screen rendition of one of those events is highly saleable merchandise.

Ann Sothern and William Gargan offer here a superb rendition of the genus American citizen. As a thoroughly normal couple, Miss Sothern depicts the impulsive, warmly sympathetic chatterbox, and Mr. Gargan the mechanic led by his wife, and for the most part liking it, whose Brooklyn background makes him a Dodgers fan, but otherwise a level headed and inventive member of the citizenry.

So—Runyon would have it—so Joe and Ethel call on the President because Jim the mailman, a flawless and sacrificing character, is in trouble. So they see "His Honor" after some abuse of the Washington coppers stemming from a newly awakened recognition of their prerogatives as citizens. So it seems the President is—what with all these foreigners stirring up trouble—anxious to see a couple of citizens. So Jim the mailman is let out of doing a stretch for having destroyed a registered letter involving the tough character who is the son of his old sweetheart. So she dies happy, thinking all the time her son's letters really come from him instead of Jim. And use of Joe's invention, a scooter with a motor, is permitted by the Postal authorities, you may be sure because of "His Honor."

So Edgar Selwyn, producer; Robert Sinclair, director; Melville Baker, who wrote the screenplay from a story by Runyan, and Metro-Goldwyn-Mayer have what will be referred to as a little natural, what with Lewis Stone, Walter Brennan, Marsha Hunt, Tom Neal and all.

Running time, 70 minutes. "G"* WALTER SELDEN

"Private Detective"

(Warners)

HOLLYWOOD, Dec. 10.—Warners' oncoming Jane Wyman is the girl detective pertained to by the title of this swift, smooth little melodrama, A Bryan Foy production in the expert manner which has characterized the studio's crime-film output for years. Dick Foran, Gloria Dickson, John Ridgely, John Eldredge and Maxie Rosenbloom are foremost among the many dependables seen in support.

Basis of the problem attacked by the girl detective and, competitively, by the police department, is the murder of a man who's been plotting to obtain sole possession of a fortune inherited by his young son through the maternal side of the family. The audience is informed as to who did it but the sleuths are not. A fast succession of complications, tense situations and conflicting clues is interspersed with intermittent comedy incidents.

Direction, a nice job, is by Noel Smith, working from a screenplay by Earle Snell and Raymond Shrock based on a story by Nate Krause. Net result of these collaborations is a trim little picture suitable for any audience.

Running time, 57 minutes. "G"* ROSCOE WILLIAMS

*"G" denotes general classification.

Orphan Xmas Party By Oklahoma Club

OKLAHOMA CITY, Dec. 10.—The local Variety Club will give a Christmas party for seven orphanages during Christmas week, according to William Moran, chairman of the Christmas Party committee. Sol Davis is vice-chairman of the committee and Brownie Akers and Jacob Watkins are members of the committee. Griffith Amusement Co. trucks will transport equipment donated by National Theater Supply for films to be shown the children. Gifts and candy for each orphan will also be provided.

Don Withington has been appointed manager of the Club headquarters at the Black Hotel.

Texas Theatres Fear New Amusement Tax

SAN ANTONIO, Dec. 10.—Texas exhibitors are worried over the possibility that the state legislature may adopt an amusement tax on admissions exceeding 50 cents, this being in addition to the present Federal levy. The legislature faces the prospect of voting upon a $21,000,000 tax bill, the largest in the history of Texas.

Freed in Contract Suit

JANESVILLE, Wis., Dec. 10.—A Circuit Court jury here freed T. M. Ellis, Beloit, Wis., exhibitor on charges of contract violation brought by Gaumont British Pictures Corp.

U. S. Interests Escape New Mexican Tax

By JAMES LOCKHART

MEXICO CITY, Dec. 10.—American distributors will not be affected by the legislation introduced into the Mexican Congress by President Lazaro Cardenas, calling for an excess profits tax of from 20 to 45 per cent on annual profits above $21,000, which are more than 15 per cent of invested capital.

American firms will escape the tax, since it is understood their yearly profit does not exceed 15 per cent of their invested capital in Mexico. Most Mexican producers likewise will not be affected by the legislation, which is expected to pass and become effective early next year.

However, the levy would fall on several large exhibitor circuits, and important independent theatre operators. The tax would be in addition to the regular income tax, now paid by the industry. Exhibitors now pay about 13 per cent of their income in taxes.

Mexico's active radio stations now number 108 with the inauguration of XEME in Merida, capital of Yucatan State.

President Cardenas, with the intention of having his Government help the Mexican picture industry all it can next year, the last of his term, has invited film men to tell the administration of their financial and other problems that the Government may be able to correct.

Production is doing much better here after a considerable depression. Six features are being made in local studios for release next year.

Director Alfred Zeisler, who has worked in American, British and German studios, is here arranging with Mexican producers for the production of three pictures. Work is to start early next year.

Tickets as Xmas Gift Is Wisconsin Plan

MILWAUKEE, Dec. 10.—Theatres in various spots are offering theatre tickets at special prices as Christmas gifts. Standard Theatres is offering $5 worth of tickets for $3.50; $3 worth for $2.25, and $1.25 worth for $1 for the Kenosha, Gateway and Vogue, Kenosha; Bay, Strand and Packer, Green Bay, and Strand and Oshkosh in Oshkosh.

The Roosevelt and Orpheum in Kenosha are making similar offers. "Say 'Merry Christmas' With a Theatre Ticket Gift Book" is the theme of Standard Theatres' promotion.

Ritter Vacationing Before Next Picture

HOLLYWOOD, Dec. 10.—Tex Ritter, having completed "Roll, Wagons, Roll," for Edward Finney's Boots & Saddles Pictures, Inc., will stay at his mines in Bishop, Cal., until work begins on "Rhythm of the Rio Grande," in January. Ritter is specializing in the mining of tungsten and manganese.

• Theatre and Personnel Notes •

Griffith Managers Trade Posts

HOLDENVILLE, Okla., Dec. 10.—Frank Aydelotte, new manager of Holdenville's three theatres, has arrived and assumed operation of the shows here. Aydelotte replaces John Wisdom, who is being transferred to Cleburne, Texas, in a trade of Griffith Amusement Company managers.

Aydelotte has been with the Griffith Company for eight years. He rose from usher at a Chickasha theatre to assistant manager, and was manager at Hobart, and Drumright, Okla., and Cleburne, Tex., for 18 months each.

Warners Transfer Mahan

NEW HAVEN, Dec. 10.—J. R. Mahan, Philadelphia Warner salesman, has been transferred to New Haven as manager. He replaces John Pavone, who remains with the company in New Haven in a capacity to be announced later.

Opening Conn. Theatre

WINDSOR, Conn., Dec. 10. — The Shulman interests will open the new Plaza here shortly.

Open Groton Theatre

GROTON, *Conn.*, Dec. 10. — C. D. Hess, operator of the Moosup, has opened the new 658-seat Groton here, first in the town.

Plan Two in Frisco Suburbs

SAN FRANCISCO, Dec. 10.—Construction of new theatres will start soon in San Carlos and Rodeo, nearby suburban communities.

Huddleston Sells House

GILMORE CITY, Ia., Dec. 10.—Harry Huddleston has sold the Gilmore City Theatre to C. A. Card of Hampton.

Open New House in Houston

HOUSTON, Dec. 10.—A new neighborhood, the Navaway, has been opened here, by W. V. Ratcliff. The house is managed by Ben C. McKenney.

Managers Are Switched

HOLDENVILLE, Okla., Dec. 10.—John Wisdom, manager of Holdenville's three theatres, has gone to Cleburne, Texas, to manage two theatres owned by the Griffith Amusement Co. Frank Aydelotte, manager of the Cleburne theatres, has been transferred here in the exchange of managers.

Wichita Theatre Opens

WICHITA, Kan., Dec. 10.—The new Wichita has opened here.

Plans Indiana House

WEST LAFAYETTE, Ind., Dec. 10.—Ernest L. Miller, operator of the Cinema, Indianapolis neighborhood, will erect an 800-seat house costing $70,000, the first to be built here.

Open Bryan, Tex., House

BRYAN ,Tex., Dec. 10.—The new Queen Theatre here, which cost $65,000, has been opened. It seats 550.

Build in Michigan City

MICHIGAN CITY, Ind., Dec. 10.—Ground has been broken for Maurice Rubin's New Lido here, a 900-seat house to cost $150,000.

Wilby Opens Drive-In

SAVANNAH, Ga., Dec. 10.—George T. Wilby and Frank Harris have opened a drive-in theatre here, and are now building others at South Jacksonville and Orlando, Fla. The latter two are expected to be ready by Dec. 15.

Temple Takes Brooklyn House

Temple Enterprises, Inc., (Harry Hicks) is the new operator of the Fair, Brooklyn. The house formerly was known as the Navarre.

Reopen Mt. Eden

Consolidated Amusement Enterprises has reopened its Mt. Eden Theatre, Mt. Eden and Inwood Ave., Bronx.

Randforce Opens Clinton

The new 1,600-seat Clinton has been opened by Randforce Amusement Corp. The house is situated on Mill and Clinton Sts., in the Red Hook section of Brooklyn. Irving Berman is manager.

West Hampton Open Weekends

The West Hampton, West Hampton, L. I., is now open on weekends only.

Chalman Transferred

SAN ANTONIO, Dec. 10.—Jack Chalman, city publicity and ad chief here for Interstate Circuit, Inc., will be transferred to Dallas, succeeded by Clarence H. Moss. The position of Moss' exploitation post will be filled by Richard T. Betts.

Moore Opens Theatre

DES MOINES, Dec. 10. — Harold Moore, who operates summer theatres in Iowa towns, has remodeled a building in Radcliffe, Iowa, that he has opened as the Moore. The house seats 235.

Acquires Texas Theatre

COMFORT, Tex., Dec. 10.—William Rau has acquired the Community Theatre here.

Reopens Burt, Ia., House

BURT, Iowa, Dec. 10.—The Royal, closed the past few months, has been reopened by E. H. Swasand.

Iowa Theatre Sold

OLIN, Iowa, Dec. 10.—W. L. Hart has sold his Plaza here to L. L. LeBrock.

Managing Iowa Theatre

DES MOINES, Dec. 10.—William Kubitzki, former salesman for Monogram, has been named manager of the new Lake at Storm Lake, Ia., succeeding Frank Schoonover, resigned.

Building at Rock Hill, S. C.

CHARLOTTE, N. C., Dec. 10.—Work has begun on the $75,000 theatre which R. E. Bryant will build in Rock Hill, S. C. It will seat 700 and is expected to be ready by April.

New Louisiana House

NEW ORLEANS, Dec. 10.—A new theatre under construction at Pontchatoula, La., will seat 800. Drake Brothers, operators, expect to open for the Christmas holidays.

N. C. House Ready Soon

ROCKINGHAM, N. C., Dec. 10.—A new theatre, which is being built here at a cost of approximately $10,000, will seat 500, and probably will be ready about Christmas.

Richrath, Murray to Buffalo

ALBANY, Dec. 10.—William Murray, Grand National booker here, has left for Buffalo, where he will take over similar duties. The Buffalo office will continue to serve the local territory also. Paul Richrath, formerly exchange manager here, will have similar duties in Buffalo.

Wall Named Manager

KINGSBURG, Cal., Dec. 10.—H. E. Wall is the new manager of the American Theatre here.

Open St. Louis Rio

ST. LOUIS, Dec. 10.—The Rio, new North St. Louis neighborhood house operated by the St. Louis Amusement C . and Fanchon & Marco, has opened.

Plan California House

COLFAX, Cal., Dec. 10. — Walter Eldred will operate a new theatre here, to be built by Oswald Marson and Mrs. George West.

Open in Windsor, Conn.

WINDSOR, Conn., Dec. 10.—The 450-seat Windsor, acquired by Lockwood and Gordon last summer and completely renovated, has been opened. The larger Plaza, under construction by the Shulman interests of the Rivoli and Webster, Hartford, also will open in a few weeks.

Leases at Lower Lake, Cal.

LOWER LAKE, Cal., Dec. 10.—Alan Douglas has taken a lease on the Lake Theatre here, owned by Walter Vernons.

Change Opening Day

NEW HAVEN, Dec. 10.—Warners have changed to the former Wednesday opening at the Roger Sherman, New Haven, and Warner, Bridgeport. The Friday opening, tried for a short time, was found unsatisfactory.

Takes Over Portola House

PORTOLA, Cal., Dec. 10.—Ray R. Summers has taken over management of the Plumas here.

Plan Baton Rouge Theatre

BATON ROUGE, La., Dec. 10.—Columbia Theatres, Inc., plans an 1,800-seat theatre here.

Redecorate in Cleveland

CLEVELAND Dec. 10.—The Ritz on Cleveland's East Side has completed redecoration and installation of new seats.

Tries Vaudeville in Stamford

STAMFORD, Conn., Dec. 10.—The Strand is trying a five-act vaudeville program plus a first run feature for Fridays and Saturdays.

Remodel at Denton, Texas

DENTON, Tex., Dec. 10.—The Rex has been remodeled by W. S. Hurst, former Columbia salesman who leased the house from E. L. Black.

United Detroit Transfers

DETROIT, Dec. 10.—United Detroit Theatres has made a number of manager, changes. Dow Thompson, manager of the Riviera, has moved to the Broadway Capitol; Frank Upton, manager of the Cinderella, has taken Thompson's at the Riviera; Clark Field, manager of the Ramona, has been assigned Upton's job; Don Dunn, manager of the Alger, is the new manager of the Ramona; James Basson, manager of the Rosedale, has become manager of the Alger; Cassius Smith, assistant manager of the United Artists theatre, has been named manager of the Rosedale.

Name Pittsburgh Managers

PITTSBURGH, Dec. 10.—Don Stitt, formerly Stanley Theatre banjoist, has been appointed manager of the New Harris Manos theatre in Jeannette, Pa. Former Columbia exchange booker Joseph Roney will manage the new West View, William Moss has succeeded Elbert Smith as manager of the Melrose in Brentwood, suburban Pittsburgh.

Phil Tucker Is Shifted

VANCOUVER, B. C., Dec. 10.—Phil Tucker, manager of the Broadway, Famous Players Canadian suburban here, has gone to the Capitol at Kamloops, B. C. Edward Zutterman of the Victoria Road takes over the Broadway management, and E. C. Lackey moves from Kamloops to the Victoria Road, suburban house here.

Manages Frisco House

SAN FRANCISCO, Dec. 10.—Charles H. Donahue has been named manager of the Casino by Peter H. Markowitz, who purchased the house last month from the family of G. M. "Bronco Billy" Anderson, early film star.

Takes Berkeley Post

BERKELEY, Cal., Dec. 10.—Warren Pechner, former manager of the Campus in Palo Alto and the El Rey in Salinas, has been named manager of the California here.

Remodel in Alabama

ELBA, Ala., Dec. 10. — Owners of the Elba are remodeling the house. The seating capacity will be increased and the entire interior of the theatre improved.

Reopen Oakland House

OAKLAND, Dec. 10.—After a $50,000 remodeling job, the Downtown Theatre has reopened, showing five acts of vaudeville and first run pictures. Rene LaMarr is the manager.

Open in Groton, Conn.

GROTON, Conn., Dec. 10.—The 656-seat Groton, built by Mr. and Mrs. D. C. Hess of the Moosup Theatre, has opened, with Russell Hess, son of the owners, as manager.

Rosenberg Plans Theatre

KANSAS CITY, Dec. 10.—Bertram Rosenberg and his associates in the University Amusement Co. plan to spend $100,000 converting the plant of the City Ice Co. into a theatre to seat 1,000.

Los Angeles Grosses Off, 'Love' Leads

Los Angeles, Dec. 10. — Grosses were off here generally, with one film getting better than average. "First Love" with "One Hour to Live" in the second week took $7,400 at the Hillstreet and, paired with "The Witness Vanishes," drew $6,500 at the Pantages.

Estimated takings for the week ending Dec. 6:

"The Housekeeper's Daughter" (U. A.)
"The Honeymoon's Over" (20th-Fox)
CHINESE—(2,500) (30c-75c) 7 days. Gross: $8,500. (Average, $12,500)
"Intermezzo" (U. A.)
4 STAR—(900) (40c-55c) 7 days, 4th week. Gross: $3,000. (Average, $3,250)
"First Love" (Univ.)
"One Hour To Live" (Univ.)
HILLSTREET—(2,700) (30c-65c) 7 days, 2nd week. Gross: $7,400. (Average, $6,500)
"The Housekeeper's Daughter" (U. A.)
"The Honeymoon's Over" (20th-Fox)
LOEW'S STATE—(2,500) (30c-75c) 7 days. Gross: $11,600. (Average, $14,000)
"First Love" (Univ.)
"The Witness Vanishes" (Univ.)
PANTAGES—(3,000) (30c-65c) 7 days, 2nd week. Gross: $6,500. (Average, $7,000)
"Night of Nights" (Para.)
PARAMOUNT—(3,595) (30c-65c) 7 days. Stage: The Ritz Bros. F. & M. revue, Jimmie Grier and his orchestra. Gross: $17,000. (Average, $18,000)
"We Are Not Alone" (W. B.)
"Private Detective" (W. B.)
WARNER BROS. (Hollywood)—(3,000) (30c-65c) 7 days. Gross: $10,800. (Average, $14,000)
"We Are Not Alone" (W. B.)
"Private Detective" (W. B.)
WARNER BROS. (Downtown)—(3,400) (30c-65c) 7 days. Gross: $10,200. (Average, $12,000)

Film, Radio Patents Facing U. S. Inquiry

(*Continued from page* 1)

a thorough probe of the patent situation, which may involve the film and radio industries, was revealed in an announcement that an equity suit will be filed tomorrow in the Federal District Court at Toledo against a dozen corporations engaged in the glass container industry.

While the Department said merely that the New York Grand Jury would be convened "shortly," it was generally expected here that that phase of the Government's latest anti-trust drive would not be undertaken until after the Christmas holidays.

The Department, it was indicated, is confident that the inquiry will result in a series of proceedings against companies and persons in different industries" in which there will be raised every type of practice under the patent law that the Department considers contrary to the policy of the anti-trust laws and in violation of such laws."

Tri-States Case Today

Omaha, Dec. 10.—Application of Tri-States Theatres, Des Moines, to restrain Ralph D. Goldberg, circuit owner, from keeping the State open will be heard in Federal Court here tomorrow.

Dietrich to Para.

Hollywood, Dec. 10. — Marlene Dietrich will make one feature for Paramount under a contract just signed. Under her existing arrangement with Universal, she will make two more pictures for that company.

Schlesinger Plans New Warner Cartoon Series

Hollywood, Dec. 10.—Leon Schlesinger has decided to make a series of "Canyon Kiddies" cartoons, for Warner release, and first will be "The Mighty Hunters," which goes under the cameras this week. James Swinnerton, artist and cartoonist who originated the "Kiddies," created the screen characters, collaborated on the story and painted all the backgrounds, which have been done in oil for the first time in animated cartooning. Schlesinger and Swinnerton believe better solidity, depth and color effects can be achieved with oil. . . .

Edward Gross' first production at Republic will be "The Crooked Road," for which Leslie T. White and Ethel La Blanche are doing the screenplay. . . . Ruth Gordon will portray Queen Victoria in Warners' "Disraeli," now titled "The Prime Minister." . . . RKO's remake of "A Bill of Divorcement," whose original version brought screen fame to Katharine Hepburn, has a cast consisting of Herbert Marshall, Maureen O'Hara, Adolphe Menjou, Fay Bainter, and Dame May Whitty. Robert Sisk is producing and John Farrow directing. . . .

Franklyn Warner's "Isle of Destiny," first of three pictures of the Fine Arts Pictures head for RKO release, will have a twin premiere at Minneapolis and St. Paul, with Billy Leyser, Fine Arts publicity director, and Gordon Fawcett, Fawcett Publications Western manager, arranging the event. The date is sometime in January. . . . Warners is planning a musical dealing with college life during an election year, to be called "For the Rich They Sing," with Eddie Albert, Jane Bryan and Claude Rains in the cast. Richard Macaulay and Jerry Wald are writing the script. . . .

Lenore Coffee is at M-G-M writing the script for "Tonight at 8:30," from the play by Noel Coward. Sidney Franklin will produce. . . . Lesley Selander will direct Harry Sherman's final "Hopalong Cassidy" film for the season, "Hold Your Horses." It will be William Boyd's last picture for Sherman under his present contract. . . . Jack Kirsten, assistant production manager for Walter Wanger for several years, has resigned. . . .

Paramount has purchased "Country Lawyer," Bellamy Partridge's best-selling biography. Fred MacMurray has been pencilled in for the lead, the role of an aristocratic upstate New York attorney. . . . M-G-M has purchased "Night Operator," *Liberty Magazine* story by Lucille Selk Edgerton for a Edgar Selwyn production. Joseph Fields and Jerry Chodorov are doing the screenplay. . . .

Ben Judell of Producers Pictures Corp. has announced that he has no intention of moving his production headquarters from Hollywood to Prescott, Ariz., where he will produce 24 western features. There will be no change in his original melodrama and "four star" specials setup that he announced upon the formation of the company. . . . Tom Gibson has been assigned by Joseph O'Donnell, Producers Pictures Western script department head, to write an original screenplay for the second of the "Tales of Billy the Kid" series. . . . Johnny Sheffield, 7-year-old actor, gets the title role in RKO's "Little Orvie". . . . He was "Tarzan's" son in M-G-M's "Tarzan Finds a Son". . . .

Director Jack Hively gets a new contract at RKO. . . . Wallace Beery has had his pact extended by M-G-M. . . . Warners has given a new contract to Director Raoul Walsh.

Foto-Nite in Canada Test Case Up Soon

Toronto, Dec. 10.—The first of the police cases against Toronto theatre owners on charges of conducting a lottery by the staging of Foto-Nite will be heard shortly. According to the schedule, the first to be tried will be V. Simone, proprietor of the Radio City and Beverly. The former was one of several local theatres which were raided by officers of the Morality Department when records, advertising material and other equipment were seized.

The future of giveaways and gift contests hinges on the outcome of this case and considerable interest has been aroused among exhibitors, many of whom had adopted premium stunts as patronage inducements in recent weeks. The Foto-Nite feature had been introduced at numerous circuit theatres across Ontario this Fall with the cash prizes running as high as $250.

Atlantic City May Be Scene of Allied Meet

Allied's 1940 national convention may be held in Atlantic City. New Jersey Allied, through Lee Newbury, president, has entered its bid for the resort city and it is understood some national officials are favorably disposed.

Allied has not held a convention in the East in several years. The national board will meet in Washington next month to decide the date and place of the convention, which is usually held late in May or early in June.

If Atlantic City is decided upon, New Jersey Allied will advance its annual convention to be held at the same time. Otherwise, the regional meeting will take place in the Fall.

New Jersey Allied's next meeting is scheduled for Dec. 19 at the Hotel Astor.

Reviving Vaudeville

Toronto, Dec. 10.—Famous Players Canadian Corp. has introduced name vaudeville with films at the Capitol, Hamilton, Ont., where the complete stage program appearing at Shea's in downtown Toronto will play during the following week. If the expansion is successful, the circuit will revive stage units at other theatres.

Tips on Exploitation

Robot Santa Claus
In Brooklyn Paramount

A robot Santa Claus, 40 inches tall, has been placed in the lounge of the Brooklyn Paramount to take another year's Christmas orders from, and and answer the questions of, the kids who come to see "Mr. Smith Goes to Washington." Most of them know, of course, that Santa is really a mike-and-loudspeaker gadget that moves its hands and mouth at the behest of a gentleman in another room.

Cincinnati Patrons
Get Appearance Query

Cincinnati, Dec. 10.—RKO picture patrons are being asked via screen trailers to express their wishes on screen figures' personal appearances here. Upon result of this poll will depend the type of stage shows to be shown at the RKO Shubert.

Contest Plugs 'Thin Man'
At State in St. Louis

St. Louis, Dec. 10.—Cooperative ads, a color contest, a street ballyhoo, free radio announcements and book shop window tieups were the features of the exploitation campaign conducted by Loew's State for "Another Thin Man." The color contest was part of a full-page cooperative ad stunt made through a tieup with the *Star-Times*, and more than 3,000 entries were received.

'Book Bandwagon' Used
For Columbus Appearance

Columbus, O., Dec. 10.—In a tieup with the Columbus *Dispatch*, C. Harry Schreiber, manager of the RKO Palace, held a "Book Bandwagon" Saturday morning matinee for the stage engagement of Martha Raye. Children were admitted upon presentation of a nursery rhyme, cut-out book, fairy tale or similar juvenile book.

Brandt to Sell Out If Neely Bill Wins

Hollywood, Dec. 10.—If the Neely Bill passes, as Harry Brandt predicts that it will, when the measure comes before Congress at its next session, the president of the New York I.T.O.A. told 30 exhibitors at a luncheon Friday in the Victor Hugo restaurant, that his 80 theatres would be for sale. He urged those who listened to him to communicate with their Congressmen in order to defeat the bill.

Brandt also told his hearers that he had received "assurances" that stars would be restrained from appearing on the radio in future contracts. No names were mentioned.

Additionally, Brandt warned that unless an "arbitration announcement" is soon forthcoming from the distributors, he would "tell plenty" as a witness in the pending anti-trust suit, in New York.

He was introduced by Albert Galston, president of the I.T.O. of Southern California.

Brandt stated that the Neely Bill would reduce production by 50 per cent and that the quality of production would be cut to a point that would make theatre operation unprofitable.

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 114 NEW YORK, U. S. A., TUESDAY, DECEMBER 12, 1939 TEN CENTS

Para. to Drop 'B' Films From '40-'41 Season

Aims to Limit Production To 'A' Pictures

HOLLYWOOD, Dec. 11.—Paramount is suspending the practice of making so-called "in between" pictures.

According to company officials, Paramount intends to confine its production to "A" films for the 1940-'41 season.

Consequently, these new plans mean that Paramount's new program will comprise fewer pictures than originally scheduled for the 1940-'41 season. The program may be reduced to 45 pictures.

Paramount's decision to eliminate "in between" pictures and cut its production schedule came as a result of last week's conference here between studio chieftains and Eastern executives of the company, including Y. Frank Freeman, Barney Balaban, Russell Holman and Stanton Griffis.

Harold H. Hurley, who has been in charge of the "in between" product, will be assigned other duties in the production field.

New Advance Made On RKO-Atlas Plan

Further progress between RKO and Atlas Corp. toward an agreement on the latter's new proposal to underwrite $1,500,000 of reorganized RKO's common stock was reported yesterday following a meeting of the RKO board.

The proposal will be given further consideration at another board meeting, which may be called either tomorrow or Thursday.

Failure to complete the agreement yesterday will make it necessary for Atlas counsel to ask another adjournment today of the scheduled Federal court hearing on the new underwriting offer before Judge William Bondy. The latter intimated at the last hearing that he would grant a maximum postponement of only five days if the offer was not completed by today, and

(Continued on page 7)

Pickford Starts Jan. 1

CHICAGO, Dec. 11.—Here to spend Christmas with her husband, Buddy Rogers, Mary Pickford said she planned to start her own production unit after Jan. 1. The details have not been decided.

Atlanta Primps Up For 'Wind' Opening; Ticket Sales High

ATLANTA, Dec. 11.—All Atlanta, theatres have entered into the spirit of the city's three-day "Gone With the Wind" festival for the premiere at Loew's Grand Friday night.

The Fox will display a reproduction of the Tara home of Scarlett O'Hara and its marquee will have a welcome to Clark Gable and the others from Hollywood. Other theatres will be decorated with Confederate flags and banners.

First-run theatres have booked in special attractions to compete with the premiere. There will be stage shows at the Paramount and Capitol. The Rialto and Fox will play the strongest films they can get.

Governor Rivers has urged that all Georgians enter as much as possible in the festivities. All seats into the third week have been sold. There will be no passes.

None of the players coming from Hollywood will appear on the stage at the premiere. They will be introduced during the intermission from their

(Continued on page 7)

Kaybern Splits with ITO, Buys Warner

Kaybern Theatres, operated by Ben Knoble and Joe Katsh, have broken away from the Brandt I.T.O.A. group, in buying Warner pictures. The Kaybern people have closed with Warners for the latter's complete 1939-'40 lineup.

Announcement that Kaybern has bought Warner product came through Carl Leserman, assistant general sales manager of Warners, yesterday.

Dumont Test Shows Clearer Television

Following a demonstration of improved television reception by the Dumont Laboratories, at Passaic, N. J., Friday night, the standardization committee of the Radio Manufacturers Association met Saturday but arrived at no decision.

Clearer definition of images than hitherto shown was demonstrated by Dumont, revealing that greater detail can be achieved by increasing the lines of definition, from R. C. A's present 441 lines to 625 lines or even 880 lines.

Columbia Slashes Losses for Quarter

Net loss of $104,751 after all charges and provision for taxes was reported yesterday by Columbia Pictures for the quarter ended Sept. 24, last, the first quarter of the company's current fiscal year.

The loss compares with net loss of $233,612 for the corresponding quarter last year.

The company recently repaid $500,000 in bank loans prior to maturity, stockholders were advised. Columbia's only funded debt consists of $1,250,000 of serial notes due in 1944 which are being paid off in annual instalments of $250,000.

Gross income from rentals and sales of film and accessories for the quarter amounted to $4,860,767.

Earned surplus as of Sept. 30, was $3,592,322.

Company's consolidated balance sheet shows cash of $1,252,408, and total current and working assets of $13,152,154. Total current liabilities were $2,099,318.

Monetary Basis Favored If British Quota Remains

Continuation of the British quota after April, 1940, should be on a monetary basis, if at all, David Rose, head of Paramount's British production activities, said yesterday.

Rose said that other British representatives of American companies shared this view with him, indicating that a recommendation to this effect may be made when continuation of the quota is discussed officially in London within the next few months.

Rose declared that to continue the quota on a footage basis would be unwise during war time and that, if placed on a monetary basis, the minimum production expenditure specified could be based upon the amount of business done by individual American companies.

With their production quota expenditures thus determined, Rose said, each company would be free to spend the entire amount on one or two pictures, if desired, without regard for the total number of quota pictures produced. This would eliminate the problem of re-gathering players and technicians for a series of small

(Continued on page 6)

Speedy Neely Ballot at Next Session Seen

Needs Passage By House to Become Law

WASHINGTON, Dec. 11.—Early action on the Neely bill will be sought by proponents of the block booking ban when Congress returns to Washington Jan. 3.

Requests will be filled with Chairman Clarence F. Lea of the House Interstate and Foreign Commerce Committee immediately upon the convening of the session for hearings on the measure, which was passed by the Senate last July and now needs only favorable action in the House to become a law.

Supporters of the measure will bend every energy toward securing action on the bill, which is nearer enactment than ever before.

A major argument in favor of action next year will be that it will support the Department of Justice in its anti-trust campaign as evidencing the approval of Congress for the Government's contention that block booking is an improper trade practice. On

(Continued on page 8)

MGM Plans Same Number of Films

CHICAGO, Dec. 11.—"We plan to make the same number of pictures next season as we did the last and will spend the same amount of money," Nicholas M. Schenck, president of Loew's, said here while enroute to Hollywood for studio conferences.

"Despite the great losses in the foreign market, we can't let that influence us to the extent that we shall make fewer and cheaper pictures," Schenck said.

Schenck revealed that he plans a Florida vacation following the "Gone With the Wind" premiere at Atlanta.

'Mad Dog' Release Deal by Columbia

Columbia Pictures has closed a deal to release in England "The Mad Dog of Europe," to be produced in Great Britain by Al Rosen.

The picture will be adapted from a book to be published this week by Epic Publishing Co. Albert Nesor is the author. Herman Mankiewicz and Lynn Root are preparing the screenplay.

Purely Personal

UNIVERSAL'S General Sales Manager WILLIAM A. SCULLY, Western Sales Manager WILLIAM J. HEINEMAN and Eastern Sales Manager FRANK J. A. MCCARTHY are back at their desks for the first time in many weeks after extended trips covering most of their respective territories.

•

WILLIAM F. RODGERS, ED SAUNDERS, CHARLES CASANAVE, BOB WEITMAN, SAM SHAIN, PHIL SPITALNY, TOM CONNORS, MAX A. COHEN, HARRY GOETZ and ED HATRICK at Nick's Hunting Room in the Astor for lunch yesterday.

•

JACK SCHAINDLIN, composer for many Universal and RKO short subjects, is back at his desk after recuperating from injuries sustained when his plane cracked up at Roosevelt Field last week.

•

STANTON GRIFFIS, BARNEY BALABAN, JOHN D. HERTZ, JR., TOM FIZDALE, SIDNEY KINGSLEY, ABEN KANDEL, BARRY TRIVERS, ERWIN GELSEY and JACK KIRKLAND lunching at Sardi's yesterday.

•

LYDIA BEHLING, circuit operator, has returned to Buffalo after a week's visit here with MRS. P. A. POWERS, MRS. TED O'SHEA and other friends.

•

WILLIAM GRADY, M-G-M casting director, has left for the Coast after a New York visit. He is touring key cities on a talent quest.

•

JACK COHN, Columbia vice-president, is scheduled to leave Hollywood for New York today after studio product conferences.

•

WALTER READE left over the weekend for a brief vacation in Florida. He will return Monday.

•

GEORGE RAFT is here on a vacation trip that will take him to Havana for the holidays.

•

JOHN NASH, Republic distributor in Venezuela, is in town.

•

ALICE FAYE arrived yesterday from the Coast.

•

EDMUND GRAINGER has returned to Hollywood.

•

MR. and MRS. DAVE BALABAN are the parents of a girl, BARBARA, born the other day at the Michael Reese Hospital in Chicago to MRS. BALABAN.

•

E. C. GRAINGER, general manager of the Shea Theatrical Enterprises, left over the weekend for a tour of the circuit's interests in Pennsylvania, Ohio and Jamestown, N. Y. He will return in about two weeks.

•

FRANK R. STITCH of RKO's publicity department was in Albany over the week-end to line-up advance publicity on new films.

•

ARTHUR HOWARD, of Boston, business manager of Independent Exhibitors of New England, was in town yesterday.

•

MRS. LEON HERMAN, wife of the RKO salesman in Albany, has been confined to her home by an illness.

•

CLINTON BOLTON of the Paramount home office is in Providence, assisting the Strand's ED REED on campaigns.

•

MAURICE SHULMAN, Hartford exhibitor, was a visitor here yesterday.

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Broadway Suffers Decline In Grosses

Weekend business continued slightly behind the high grosses of recent weeks in Broadway's first run houses, but it was substantially ahead of the same week last year. Clear, cold weather aided the boxoffices somewhat.

At the Paramount, "The Great Victor Herbert" set a lively pace with a personal appearance of Allan Jones, Mary Martin and Johnny Green's band, garnering an estimated $22,000 for Saturday and Sunday. The first week, which ends tonight, should bring about $53,000. "We Are Not Alone" with a stage show, drew an estimated $51,000 for the first four days of the second week at the Music Hall.

"The Private Lives of Elizabeth and Essex," supported by Al Donahue's band on the stage, drew an estimated $20,000 at the Strand over the weekend. At the Roxy, "Barricade" took an estimated $20,000 for the same period.

"Elizabeth and Essex" will be held for three weeks at the Strand and will be followed by "Four Wives," "Invisible Stripes," "The Life of Dr. Ehrlich" and "The Fighting 69th." On Thursday, "Balalaika" will go into the Music Hall. At the Rialto, all-night showings have been set to accommodate the patronage for "Tower of London."

'Gulliver' Opening Has Quick Sellout

MIAMI BEACH, Dec. 11.—Reserved seats for the world premiere of "Gulliver's Travels," the Max Fleischer-Paramount feature - length color cartoon, at the Sheridan here next Monday were sold out within the first hour after public sale of tickets was started today.

In addition, 1,000 seats had been sold to "socialites" here for the Colony, where the picture will open and run simultaneously with the Sheridan. Requests to open the picture in a third theatre had to be rejected because of the lack of prints and the impracticability of shuttling a single print 15 miles between theatres, the distance between the Colony and Sheridan and the nearest suitable house.

Stick to Helsinki Post Despite War

Ignoring all warnings to evacuate Helsinski, capital of war-besieged Finland, Harry Hammar, Paramount manager there, and his cashier are the only members of the Paramount staff remaining in the bombed city. All other staff members have joined the Finnish military forces.

Reelect 6 Warner Board Members

WILMINGTON, Dec. 11.—Warner Brothers preferred stockholders in annual meeting here today reelected six directors: Harry M. Warner, president; Albert Warner, vice-president and treasurer; Jack L. Warner, vice-president; Robert W. Perkins, secretary and general counsel; Joseph Bernhard and Waddill Catchings.

Since no quorum of common stockholders was present, 80,610 votes of preferred shares elected the directors. Former Judge Hugh M. Morris presided.

Holdover board members whose terms expire next year are: Samuel Carlisle, assistant treasurer; Stanleigh P. Friedman, vice-president; Sam E. Morris, vice-president; Morris Wolf and Charles S. Guggenheimer.

Directors will meet here later this week, when the present officers are expected to be reelected.

Third Trial for Nick, Deposed Union Boss

ST. LOUIS, Mo., Dec. 11.—The third trial of John P. Nick, deposed boss of the Motion Picture Operators' Union, on a charge that he extorted $10,000 from theatre owners, began today in the Circuit Court here. Two previous attempts to try Nick ended in mistrials.

RKO to Start Early British Production

HOLLYWOOD, Dec. 11.—RKO will resume production in England early next year, William Sistrom, producer, has been assigned in charge of overseas production. He will fly to England Jan. 2 to prepare for resuming activity.

William Melvin Dies

ST. PETERSBURG, Fla., Dec. 11.—William J. Melvin, who was manager of Publix Theatres here for several years, died recently in a local hospital. Burial was in Savannah, Ga.

20th-Fox Party Set

The Employes Club of the 20th Century-Fox exchange here will hold its annual Christmas party at the Congress Hotel on Dec. 21.

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Pre-Christmas Fete For RKO Managers

Successful conclusion of the fourth year of the RKO Bonus Plan was celebrated last night as RKO Theatre managers, their wives or sweethearts frolicked at the Hotel Astor at a pre-Christmas party.

The evening's entertainment was divided into four parts. The women were guests at any legitimate play they wished to see. While they attended the theatre, the men gathered at the Hotel Astor for cocktails and a stag beefsteak dinner.

Wives and sweethearts rejoined the managers after the theatre and then proceeded from the Astor to the Diamond Horseshoe for an after-dinner party.

Among those who attended the party were Al Arnstein, Jerry Baker, George Baldwin, Warren Bartlett, Joe Becker, John Berger, Arthur Brown, John Cassidy, Ray Conner, Bill Cook, Harold Daly, Joe Di Lorenzo, George Dunn, Mike Edelstein, Russ Emde, Bill England, Max Fellerman, Lou Friedman, Arthur Gilgar, Irving Gold, Joe Goldberg, Leon Goldberg, Louis Goldberg, Larry Greib, Pat Grosso, Emil Groth, Maurice Harris, John Hearns.

Also Herb Heintz, John Heinz, Harold Heller, Fred Herkowitz, Raymond Hodgdon, Bill Howard, Frank Howard, Leon Kelmer, Malcolm Kingsberg, Lee Koken, Rudy Kramer, Morton Kresner, Max Levine, Dave Lustig, Harry Lyons, Charles McDonald, Harry Mandel, Fred Meyers, Max Mink, Harry Mosley, Millard Ochs, Charles Oelreich, John J. O'Connor, Jom O'Donnell, Richard Patterson, Jr., Matty Polon, Ken Rockwell, Marty Rosen, Sam Rydell.

Also George Schaefer, Sol Schwartz, Baker Shelton, Max Sloven, Ed Sniderman, Sam Taub, Maj. Leslie E. Thompson, Bob Ungerfeld, Ansel Weinstein, Harry Weiss, Sigurd Wexo, Dave Whyte.

Zone Parley Today For W. B. Managers

Joseph Bernhard, general manager of Warner Theatres, will preside over a meeting of Warner zone managers today in the company's home office. Those present at the meeting will be:

Zone Managers—James Coston, Chicago; Nat Wolf, Cleveland; I. J. Hoffman, New Haven; Don Jacocks, Newark; Moe Silver, Albany; Ted Schlanger, Philadelphia; Harry Kalmine, Pittsburgh; John Payette, Washington; Herb Copelan, Atlantic City and Howard Waugh, Memphis.

Among home office executives who will participate in the conference are Clayton Bond, Ed Hinchy, Leonard Schlesinger, Harry Goldberg, Frank Phelps, Nat Fellman, Abel Vigard, W. Stewart McDonald, Harry Rosenquest, Louis Kaufman, Herman Maier and Frank Cahill.

MOTION PICTURE DAILY

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NORTH
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Theatre, Personnel Notes

Open Ontario Theatre

TORONTO, Dec. 11.—Twentieth Century Theatres, Toronto, has opened the Century at Trenton, Ont., under the management of Thomas Naylor who previously was with Cosmopolitan Films, Ltd. Twentieth Century Theatres is an independent group of which Nat Taylor, prominent in the Independent Theatres Association, is general manager.

Malco Shifts Managers

COLUMBUS, Miss., Dec. 11.—Burgess Waltman has been appointed manager for the Malco Theatre circuit here and at West Point, Miss., and R. C. Herron has been named house manager at West Point. Jessie Moore has been named as assistant manager at Columbus to succeed Herron.

Ted Gould Takes Post

TORONTO, Dec. 11.—Ted Gould has arrived in Toronto from Winnipeg to take over his duties as Ontario branch manager of Regal Films, Ltd., M-G-M distributors in Canada. Gould succeeds Gordon Lightstone, who has been promoted to general sales manager in succession to the late Walter S. Hayner.

Building Two in Wisconsin

MILWAUKEE, Dec. 11.—Construction has started on two new houses in Wisconsin. Smith Brothers Theatres, Inc., is erecting a new 700-seat house at Menomonie at a cost of $50,000, while L. F. Thurwachter is building a new 500-seat house in Waukesha.

Lefko Succeeds Lefko

PITTSBURGH, Dec. 11.—Morris Lefko has joined the sales staff of the local RKO exchange, succeeding Joseph P. Lefko, no kin. Morris is a brother of George Lefko, RKO manager in Cleveland.

R. C. Moore Transferred

MILTON, Ia., Dec. 11.—R. C. Moore, former manager of the State in Clarence, Ia., has been named manager of the State here, replacing W. E. Yeast, resigned.

Buy Drive-In Theatre

CORPUS CHRISTIE, Tex., Dec. 11.—Nick and Peter Katsaris, who operate the Drive-In Theatre here with G. B. Winter, have bought out Winter's interest in the theatre.

Builds in North Carolina

CHARLOTTE, N. C., Dec. 11.—Mrs. J. T. Gibson is building a new theatre at Laurinburg, N. C. Mrs. Gibson now operates the Scotland Theatre at Laurinburg.

Fabian Promotes Hicks

ALBANY, Dec. 11.—Francis Hicks, doorman at Fabian's Palace here, has been promoted to assistant manager of the Ritz, Port Richmond, Staten Island.

Renovate Texas House

BENISON, Tex., Dec. 11.—The Superba Theatre here has been renovated. It is owned by Lonnie Legg.

New York Reviews

"Barricade"

(20th Century-Fox)

Enacted in a setting of interior China is the story of a heroic consul of the United States, who defends his consulate and those seeking shelter there from a raid of a band of marauding Chinese bandits. Assisting him is a Far Eastern correspondent in the bad graces of his calling because of a faked story, and the third of the principals, a girl running away from a murder (justified) who finds happiness with the correspondent.

The result of the situation is a fairly entertaining piece of screen merchandise, with three good names as its chief selling assets. Warner Baxter is the correspondent, Alice Faye the runaway girl, and Charles Winninger, hero of the film, the consul. Incidental aid is rendered by Arthur Treacher, Keye Luke and Willie Fung.

There is a modicum of flag-waving, as the consul expresses his faith in the inviolability of the American flag, and a tense moment as the bandits stage a mass raid on the walls of the consulate. Rescue comes just as the bandits discover the cellar hiding place of the consulate's occupants. That rescue is contrived when Miss Faye persuades Baxter to file the story he had written of the siege, and they succeed in getting the story off despite bandits, a broken telegraph wire and fire.

Edward Kaufman was associate producer, with Gregory Ratoff as director from a story and screenplay by Granville Walker.

Running time, 71 minutes. "G"* CHARLES S. AARONSON

"South of the Border"

(Republic)

Gene Autry and Smiley Burnette undertake to aid Uncle Sam in keeping belligerents from using Pan-American nations as submarine bases. Liberally interspersed with songs, the story unfolds with considerable pace. The elements of a Mexican revolution, foreign spies, G-men, and a beautiful senorita are sufficient to keep the action lively.

Gene and "Frog," as Federal Bureau of Investigation operatives, meet Lupita Tovar, the daughter of an old Mexican family, whose brother, Duncan Renaldo, is leading a revolution. The revolutionary movement is aided by foreign governments which hope to establish a refueling base for warships in a Mexican harbor. Sent by the U. S. Consul to investigate the uprising, Gene and "Frog" are almost executed when June Storey slips some contraband funds into their baggage. They manage to perform their mission successfully but the ending is somewhat awkward and forced. When Gene returns to Lupita, he finds that shame over her brother's disgrace has caused her to become a nun.

Mary Lee deserves special mention for her singing and her performance as a mischievous child trying to evade orphanage authorities. She complements Autry's singing very ably. William Farnum, as the padre, is also worthy of special note.

William Berke produced and George Sherman directed. The screenplay was written by Betty Burbridge and Gerry Geraghty from an original by Borrell and Stuart McGowan.

Running time, 71 minutes. "G"* EDWARD GREIF

**"G" denotes general classification.*

New Mexico City Theatre

MEXICO CITY, Dec. 11.—Oscar and Samuel Granat, local circuit operators, are erecting the Cine Colonial to seat 7,000. It will be completed by January.

New $10,000 Indiana House

HAGERSTOWN, Ind., Dec. 11.—Construction of new $10,000 400-seat house here is nearly done and opening planned for Dec. 20. Charles Wood, local contractor, is building the house, which will be leased to Theatrical Managers, Inc., of Indianapolis.

Third Nocona, Texas, Theatre

NOCONA, Texas, Dec. 11.—After G. Farris Squibb finishes his theatre here, Nocona will have three cinema houses. David and Jake Lutzer own the other two theatres.

Open Wisconsin Houses

MILWAUKEE, Dec. 11.—Fox has reopened the Savoy in Watertown and is again operating the Embassy at Neenah on a seven-day basis.

Move Little Rock House

LITTLE ROCK, Ark., Dec. 11.—The Rex will move across Main St. A building for the new site was remodeled and new seats and other equipment is being installed.

Switch Canadian Managers

TORONTO, Dec. 11.—L. T. Bishop, manager of the Tivoli, Hamilton, Ont., for the past two years, has been transferred to the Tivoli here by Famous Players Canadian. Dan Krendal, former manager of the Toronto house, has gone to Hamilton.

Adopts Saturday Openings

PITTSBURGH, Dec. 11.—Loew's Penn has changed to Saturday openings following an eight-day run of "Ninotchka" to cash in on holiday weekend setup.

Short Subject Reviews

"William Tell"—Overture

(Paramount)

This subject in Paramount's Symphonic Series presents the National Philharmonic Orchestra in a performance of the overture to "William Tell." Conducted by Frederick Feher, the performance is one that will be appreciated by symphonic music lovers. The camera presents both the full orchestra and intimate studies of the conductor, the orchestral sections and soloists. Running time, 10 mins.

"Chile"

(Paramount)

A colorful, scenic tour of Chile's principal cities, Valparaiso and Santiago, and of its rural countryside, makes an excellent addition to the Color Cruise Series. Selection of scenes and subjects is commendable. Camera work, so important in travel subjects, is at its best in this reel. Running time, 9 mins.

"Here's Hal"

(Paramount)

Hal Kemp and his orchestra present a selection of popular band tunes in this newest of the Paramount Headliner series. Music and staging are good and two of the selections are presented with vocal accompaniments—one by Bob Allen and the other by the "Smoothies," a mixed trio. Running time, 10 mins.

"Unusual Occupations"

(Paramount)

Filmed in color, this latest in the series under this title presents a variety of interesting and entertaining occupations. Pictured are a "motorized" dentist who drives his trailer-office to his rural customers; the man and wife who utilize ancient Navajo Indian methods in art work; the maintenance of a dairy farm in the heart of London; an Amish Community in Pennsylvania and Charlie Ruggles' dog kennels in California. Photography and narration are good. Running time, 11 mins.

"Bits of Life"

(Paramount)

Adaptations of two *Liberty Magazine* short short stories have been made into a good single reel subject under the title, "Bits of Life." The first story concerns the marital difficulties of a young bride and how an aged neighbor helped solve them. The second depicts the trials and ultimate reward of a gold prospector in the desert.

The subject is well staged and photographed and is of average short subject interest. Running time, 10 minutes.

Academy Art Study

HOLLYWOOD, Dec. 11.—Frank Capra, president of the Academy of Motion Picture Arts and Sciences, has named a committee of art directors, headed by Bernard Herzbrun, to consider possible changes in the rules for the Academy art direction award.

Hollywood Reviews

"Thou Shalt Not Kill"

(Republic)

HOLLYWOOD, Dec. 11.—Republic's "Thou Shalt Not Kill" deals with a unique film story in which a Protestant minister is placed in the position of hearing a confession of murder by a Catholic youth who believes that he is talking to a priest of his own faith. How the minister, played by Charles Bickford, upholds the sanctity of the confidence thus given and how an innocent boy is saved from the onus for the crime constitute the plot.

In addition to Bickford, who adds to his prestige with the role, in the case are Owen Davis, Jr., Doris Day, Paul Guilfoyle, Granville Bates, Charles Waldron, Sheila Bromley, George Chandler, Charles Middleton, Emmett Vogan, Leona Roberts, Ethel May Halls, Edmund Elton and Elsie Prescott. Robert Presnell wrote the script from an original story by George Carleton Brown, and John H. Auer directed. Robert North was the associate producer.

A girl with whom Davis has been seen often is found murdered and he is accused of the crime. His benefactor, a Protestant minister, by chance rescues another youth from a traffic accident and the lad, thinking he is dying and in his delirium believing that the minister is a Catholic priest, confesses to the murder. The minister appeals to his friend, a Catholic priest, who advises him to respect the confidence. The minister, upon seeing the lad recover, gives the guilty one his penance—to confess the murder and save the innocent boy. The guilty lad attempts to murder the minister during a prayer, tells the true story when he thinks that he hears supernatural voices.

Running time, 66 minutes. "A."* VANCE KING

*"A" denotes adult classification.

"Mexican Spitfire"

(RKO)

HOLLYWOOD, Dec. 11.—This is one of those things that can't be but is. There is nothing in it that ought to make anybody laugh, but the customers at an unexpected Hollywood preview rolled in the aisles. So did the ladies and gentlemen of the press who knew better but couldn't help it. Why quibble about a picture like that?

Lupe Velez is given top billing and sets up many of the laughs, but it is Leon Errol, playing a beefsteakey Britisher and a henpecked American husband who impersonates the Britisher, who panics the ultimate consumers. The business which creates the panic is the very old business, so old that it was dead and forgotten before Hollywood was born, about the twins—sometimes two, once in a famous Broadway play even three, "The Three Twins"—who look so much alike and are substituted, one for the other, so rapidly, that everybody is hopelessly and continuously confused. Added to all this is a pie-throwing finale with pastries, including a wedding cake, instead of pies for ammunition.

Others in the cast are Donald Woods, Linda Hayes, Elizabeth Risdon, Cecil Kellaway and Charles Coleman. It's a Bob Sisk production from the Lee Marcus side of the studio with Leslie Goodwins directing a screen play by Joseph A. Fields and Charles Roberts from a story by Fields. It's no picture to catch in a projection room, but a cyclone in a well filled auditorium.

Running time, 67 minutes. "G."* ROSCOE WILLIAMS

"Escape to Paradise"

(Principal-RKO)

HOLLYWOOD, Dec. 11.—"Escape to Paradise" is Bobby Breen's last picture to be produced by Sol Lesser's Principal Productions for RKO release. A story of a boy "taxicab" driver in a South American port, it contains many situations which the screenplay has characters speaking in Spanish and broken English.

Supporting the young singer are Kent Taylor, Marla Shelton, Joyce Compton, Pedro de Cordoba, Robert O. Davis, Rosina Galli, Frank Yaconelli and Anna Demetrio. Erle C. Kenton directed from a screenplay by Weldon Melick, who adapted the original story of Ian Hunter and Herbert C. Lewis. Barney Briskin was associate producer.

Breen tangles the financial and romantic affairs of Taylor, wealthy young American who, having dropped into a South American port, becomes enamoured of the daughter of a leading grower. However, at the last minute, things straighten themselves out, and Taylor unconsciously has "cornered' the market and is on the way to become independently wealthy and win his love.

Running time, 60 minutes. "G"* VANCE KING

*"G" denotes general classification.

Kansas City Area Grosses Drop 10%

KANSAS CITY, Dec. 11.—A conservative estimate places grosses 10 to 15 per cent behind those of a year ago to the same date, in the western Missouri and Kansas territory. One index is the report on pounds of film handled by Film Delivery, which shows the amount is substantially below the same period a year ago.

There have been no more theatre closings, however. The decrease in poundage is explained by the fact that exhibitors who cut changes during the summer did not return to the schedule of more frequent program changes.

The decline in grosses seems to be general for the territory, and also appears pretty well spread. For some exhibitors the drop in business has been over 15 per cent, for some it has been less than 10. Exhibitors are not particularly optimistic about the future, although they believe any change will be for the better.

In general exhibitors are meeting the situation by curtailing expenses, a policy that has been spreading for the past two or three years.

Catlett's Mother Dies

OAKLAND, Cal., Dec. 11.—Funeral services were held here for Mrs. Mary Catlett, 77, mother of Walter Catlett, film comedian. Mrs. Catlett died of injuries received in a fall.

John Campbell Dies

OKLAHOMA CITY, Dec. 11.—John B. Campbell, 59, business agent for the I.A.T.S.E. here for the past 10 years, died in Wesley Hospital here of a heart ailment following a brief illness.

150 Experts Sought In Anti-Trust Drive

Washington, Dec. 11.—Employment of 150 economists and lawyers to comprise a new anti-trust prosecution force is being urged here by Thurman Arnold, chief of the government's anti-trust division. He stressed the need for "constant surveillance" of industry.

Cincinnati Variety's Committees Named

CINCINNATI, Dec. 11.—The following committees have been appointed by Arthur Frudenfeld, chief barker of the Cincinnati Variety Club:

House, Allan S. Moritz, chairman; William Onie; William Koegel; Harris Dudelson; F. W. Hess; J. J. Oulahan and Chas. McDonald.

Heart, H. J. Wessel, chairman; William Hastings; Joe Goetz; William Bien; Stanley C. Jacques and Nate Lavene.

Publicity, Noah Schecter, chairman; H. A. Merton; Dewey Long and Joe Kolling.

Entertainment, Pep Golden, chairman; Joe Goetz; Harry Hartman; Elmer Shard; Herbert Flaig and William Devaney.

Finance, Paul Krieger, chairman; E. M. Booth; John Hennegan; J. J. Grady; Harry Hader and Phil Goldsmith.

Membership, J. M. Allen; Maurice White and Ralph Kinsler.

Law, Albert Wienstein, chairman; Mayor James G. Stewart; Judge William Handley; Judge John H. Druffel; Chas. Wiegel; Edward E. Dixon and Saul Greenberg.

Heads Rose Festival

PORTLAND, Ore., Dec. 11.—Ted R. Gamble, manager of the J. J. Parker theatres in the Northwest, is the 1940 president of the Portland Rose Festival Association, which will stage the annual Rose Festival next June.



Fresh Delays Block Answer To Fate of G.N.

After expressing concern that continued operation losses of Grand National Pictures may prevent payment of even wage claimants in the event of liquidation, Referee Peter B. Olney Jr. granted a further postponement of the showdown on GN efforts to secure a RFC loan until Dec. 15 at 4:30 P.M.

Referee Olney charged Earle W. Hammons, president of GN and its attorney, Saul Rogers, with failing to cooperate completely with creditors.

Added reason for the delay developed, however, when a new figure, Leon Berger, appeared at the hearing and expressed a willingness both to buy out creditors' claims and to extend the necessary financing.

Berger, describing himself as a former European representative of M-G-M who was financially "very well fixed," asked that he be allowed to delve into GN affairs.

If a deal could be consummated, Berger said, GN would be given the opportunity of distributing the latest Eric Von Stroheim picture which is owned by "European interests anxious to keep the company alive." He did not, however, identify these interests.

In opposing a further adjournment, Joseph Dannenberg, attorney for the creditors' committee, stated that T. K. Stevenson, head of Erpi, had advised him that his company would not extend a $100,000 loan to GN unless Hammons first raised a $1,000,000 production fund to insure continued operations.

When members of the creditors' committee were polled on their stand on the question of an immediate liquidation, the committee voted unanimously for another postponement.

Hammons said yesterday that the stockholders' suit against Educational, its officers and directors, which was filed in State Supreme Court late last week, would be fought to the limit.

Hammons said that total damages of $40,000,000 were asked by two small stockholders whose stock ownership is of recent origin. He attacked the motives behind the filing of the action and said that the high damages were mentioned in the action only for their publicity value.

He explained that four separate actions, each asking $10,000,000 damages, had been filed by the two stockholders.

CEA to Consider Answer to Stanley

LONDON, Dec. 11.—The executive committee of the Cinematograph Exhibitors' Association tomorrow will discuss the film situation and consider a reply to Oliver Stanley, president of the Board of Trade, suggesting a means of helping the industry here. The committee also will consider a subcommittee report of meetings with producers on guaranteed production.

Exchange Talks Set

Discussions will be resumed Thursday on a new agreement for the Film Exchange Employes Union, representing all major company exchanges.

Feature Reviews

"Married and in Love"

(RKO)

HOLLYWOOD, Dec. 11.—"Married and in Love" is an unusually well told drama of two kinds of loves, one an infatuation and the other steadfast. The plot entwines the possible futures of two married couples and the denouement lets them continue as they are, each secure in the knowledge that true love has been found.

A serious portrayal of what takes place between two college sweethearts who meet years after each has married someone else, the S. K. Lauren story and screenplay make the most of opportunities for heart throbs and tugs.

The principal actors in the drama, Alan Marshal, Barbara Read, Patric Knowles and Helen Vinson, seem to live their roles, Miss Read and Miss Vinson being especially laudable. Others in support are Hattie Noel, Frank Faylen and Carol Hughes.

John Farrow directed with an ease that is captivating, despite the intermittent "flashbacks" interspersing the story to give it background. Robert Sisk produced for Lee Marcus.

Running time, 60 minutes. "G."* VANCE KING

"Pocomania"

(Lenwal)

Produced with an all-Negro cast, "Pocomania" is best suited for theatres whose patronage is Negro. Aside from the fact that there is a genuine effort to portray the principal characters as dignified human beings, there is little to recommend the film.

The first third of the film is given over to a travelogue of Jamaica in the British West Indies, where the film was produced. The plot then is introduced, and after the narrative part of the film is concluded, the camera picks up the travelogue again for a brief moment.

The plot is one of intrigue between sisters and voodoo. After inheriting a plantation from her father, Ida James returns to Jamaica from the United States. She finds that her sister, Nina Mae McKinney, who was disinherited, has disappeared. Both girls are in love with Emmett Wallace, a neighboring plantation owner. Miss McKinney, in an effort to win the plantation and Wallace, drugs her sister and performs a voodoo ceremony over her. Arthur Leonard produced and directed. George Terwilliger wrote the screenplay.

Running time, 65 minutes. "G."* EDWARD GREIF

*"G" denotes general classification.

Metro Sales Drive Headed by Aaron

Edwin Aaron, assistant to William F. Rodgers, M-G-M general sales manager, has been appointed captain of the company's sales drive this year.

Aaron plans to leave about Feb. 1 on a swing around the country which will take about two months. He will consult with district and branch managers.

A bonus plan instituted in the distribution department will enable all employes of exchanges which attain or exceed their quota to participate in cash prizes.

Roxy Assessment Fight

The Roxy Theatre, Inc., yesterday applied to the N. Y. Supreme Court for an order directing City Tax Commission to file an answer within 10 days to proceedings of Roxy to compel reduction of the theatre's assessments. Reduction of $975,000 on an assessment of $4,100,000 for 1939-'40 is demanded.

Seek Momand Hearing

OKLAHOMA CITY, Dec. 11.—Griffith Amusement Co. and major distributors have filed an application in Federal District Court here for a further hearing on a motion to dismiss the anti-trust action brought by A. B. Momand.

Ten-O-Win Is Ruled Illegal in Missouri

KANSAS CITY, Dec. 11.—At the request of an exhibitor who wanted to use it, Ten-O-Win has been termed in violation of the state law on gambling by City Counselor Sam Blair here. The opinion was passed on to Police Chief L. B. Reed with the recommendation that police arrest operators for future violations.

Bank Night Guarantee Plan Is Discontinued

DES MOINES, Dec. 11.—A Bank Night guarantee plan that has been operated here by the Capital City Guarantors, managed by Leslie Cooper of Rock Island, Ill., has been discontinued.

Lottery Charges Filed In Mississippi Game

LAUREL, Miss., Dec. 11.—Charges of operating a lottery through Bank Night at local theatres have been filed against W. S. Taylor, president of the Strand Amusement Co., by E. D. Law, operator of another house here.

Town Invokes Curfew

CONWAY, Ark., Dec. 11.—The City Council has passed an ordinance requiring all places of amusement in Conway, including film houses, pool halls and bowling alleys, to close each night by 11 o'clock.

British Quota On Monetary Basis Urged

(Continued from page 1)

budget pictures, as would be necessary if the quota was continued on a footage basis.

Rose will confer with Barney Balaban, Paramount president, and Stanton Griffis, chairman of the executive committee, on the company's immediate production plans for England. He will leave for the Coast tonight to spend three or four weeks in an attempt to line up British subjects there and other talent willing to work in England during the war.

He expressed confidence that the British government would make it possible for American producers to obtain all of the essential technical aid they needed for production, and urged American companies to cooperate in the same spirit.

Rose said Paramount probably would make five or six pictures in England next year and that "The Admirable Crichton" would be among them. He reported that Leslie Howard, now in England, professed a willingness to play the lead in this. The part originally had been slated for Charles Laughton.

Rose estimated that theatre grosses in London are about 10 to 15 per cent below normal but that "on the whole, attendance is surprisingly good."

A print of "Gulliver's Travels" is being shipped to London by air for Jan. 1 opening at Paramount's Carlton there. He predicted the picture would do "terrific" business in England.

Rose reported that theatre and other forms of commercial television have disappeared from London, attributing it to the lack of available financing for further "experimentation."

Eleven New Pictures Approved by Legion

The National Legion of Decency for the current week has approved all of the 11 new pictures reviewed and classified, four for general patronage and seven for adults.

Class A-1, Unobjectionable for General Patronage: "The Great Victor Herbert," "Henry Goes to Arizona," "Inspector Hornleigh on Holiday," "Two Thoroughbreds." Class A-2, Unobjectionable for Adults: "The Cisco Kid and the Lady," "Destry Rides Again," "The Devil Is an Empress" (French), "Fugitive at Large," "Goose Step," "The Return of Dr. X," "Tear Gas Squad."

Projectionist Reinstated

Empire State Operators Union won an award from State Mediation Board yesterday in a dispute with United Theatrical Service Employees Union, when Louis Katz the mediator, decided that Walter Underhill, Empire projectionist, dismissed last November, was entitled to immediate reinstatement at the Grand, Brooklyn.

Set Philadelphia Lunch

PHILADELPHIA, Dec. 11.—Independent exhibitors here will attend a luncheon at the Warwick Hotel on Thursday. Harry Brandt, president of the New York I.T.O.A. will speak.

Atlanta Spic, Awaits 'Wind' And Its Stars

(Continued from page 1)

seats and may say a few words if they w[illegible]

NBC and CBS will cover the Atlanta premiere by nationwide hookups.

$70,000 Advance Sale For 'Wind' at Atlanta

Advance ticket sale for "Gone With the Wind" in Atlanta, at $1.10 top, will total $70,000 by Friday's premiere, it is estimated by M-G-M. In New York, it is estimated that by opening time Dec. 19 the Astor advance sale, at $2.20 top, will be close to $50,000.

Howard Dietz, M-G-M advertising and publicity director, has arranged with NBC to televise the opening at the Capitol, the first telecast for a Broadway opening. Two cameras will be placed on either side of the entrance and another will be located on the sidewalk in front of the theatre.

While M-G-M has budgeted $200,000 for advertising, exploitation and publicity on the picture, the expenditure "will be as large as necessary to tell the story to the public," Dietz said.

The promotional expense will be determined city by city as the picture plays. In New York $25,000 minimum will be spent in newspaper advertising for the Astor and Capitol engagements; in Los Angeles and Boston, $8,500 each; Atlanta, $5,000; Cincinnati, $2,500; Harrisburg, $1,000, and Reading, Pa., $1,000. These cities will have test engagements this month.

Dietz has had a staff of exploitation men working in Atlanta for weeks. William R. Ferguson, exploitation manager, has made four trips to Atlanta and is now there for the opening. Dietz leaves for that city today. William F. Rodgers, general sales manager, and T. J. Connors, Southern division manager, leave tomorrow.

"Gone With the Wind" parties will be staged by Junior League organizations in connection with the premieres in various cities, emulating the Junior League charity ball in Atlanta.

M-G-M's advertising department has made about 40 tieups with commercial manufacturers, who have been licensed to exploit the film's characters.

Working on the campaigns, in addition to the home office staff, have been Frank Whitbeck, studio publicity head; E. B. Coleman, Atlanta; Carleton Duffus, Reading; James Ashcraft, Harrisburg; Bert McKenzie, Boston, and J. E. Watson, Cincinnati.

Chartered Planes Will Bring Stars to Atlanta

HOLLYWOOD, Dec. 11.—Two chartered planes will take the Hollywood contingent to Atlanta for Friday's premiere of "Gone With the Wind."

A 21-passenger plane will leave tomorrow with Mr. and Mrs. David O. Selznick, Vivien Leigh, Laurence Olivier, Olivia de Havilland and others.

Clark Gable will leave Wednesday with his wife, Carole Lombard, and Victor Fleming, director of the film.

Critics' Quotes . . .

"NICK CARTER, MASTER DETECTIVE"

Sure-fire entertainment . . . a fast-moving story (*Los Angeles Examiner*). A B-grade thriller whose most effective ally is its constant movement (*L. A. Times*). Mystery addicts will gloat (*L. A. Herald-Express*). The series is likely to appeal to only a sharply limited market (*Hollywood Citizen-News*).

"MEXICAN SPITFIRE"

The whole picture is Leon Errol . . . Its ability to wow 'em was proved (*L. A. Times*). Insane slapstick farce . . . Errol holds the film together (*L. A. Examiner*). A surprise comedy hit . . . Class A entertainment rating (*Hollywood Citizen-News*).

"DESTRY RIDES AGAIN"

You'll feast your eyes and ears on a rip-roarin', rip-snortin' hilarious western (*Kansas City Star*).

New Advance Made On RKO-Atlas Plan

(Continued from page 1)

that later postponements would be for progressively shorter periods.

Supreme Court Fails To Act in RKO Case

WASHINGTON, Dec. 11.—The U. S. Supreme Court failed to act today on the application of H. Cassel & Co. for a writ of *certiorari* on review of lower court orders confirming the RKO reorganization plan.

Meanwhile, Ernest W. Stirn of Milwaukee, who owns 1,234 shares of old RKO Class A stock, filed a petition today asking the Supreme Court to review a lower court decision in a suit which he had brought against Atlas Corp. attacking the legality of the RKO reorganization plan.

In his action Stirn contends the reorganization should not be contested without the approval of all of the old Class A stockholders, and protests the part played by Atlas in the reorganization.

Attacks Labor Board For 'Messy' 'U' Case

WASHINGTON, Dec. 11.—Internal dissension in the National Labor Relations Board was disclosed today before a special House committee investigating the N.L.R.B.

William L. Leiserson, member of the board, attacked the conduct of board affairs by Secretary Nathan Witt. Leiserson referred to a number of cases, including the Universal Pictures case, as "messy."

The committee has in its possession the files of the Board's Los Angeles office. It is believed that some film industry cases will be reviewed in the current House investigation.

Call Texas Meeting Against Neely Bill

DALLAS, Tex., Dec. 11. — Roy Walker, president of the Theatre Owners Protective Association, is holding a meeting of 100 exhibitors tomorrow at the Baker Hotel. Theatre men from four congressional districts will attend the session, called to protest the Neely bill, because "we as exhibitors know we can't comply with it," Walker said.

A Landmark

Sacramento, Cal., Dec. 11.—The historic old Lobero Theatre in Santa Barbara, opened in 1872 and reputedly the state's first community theatre, has been designated a "historical landmark" by the State Department of Natural Resources.

Another Douglas House

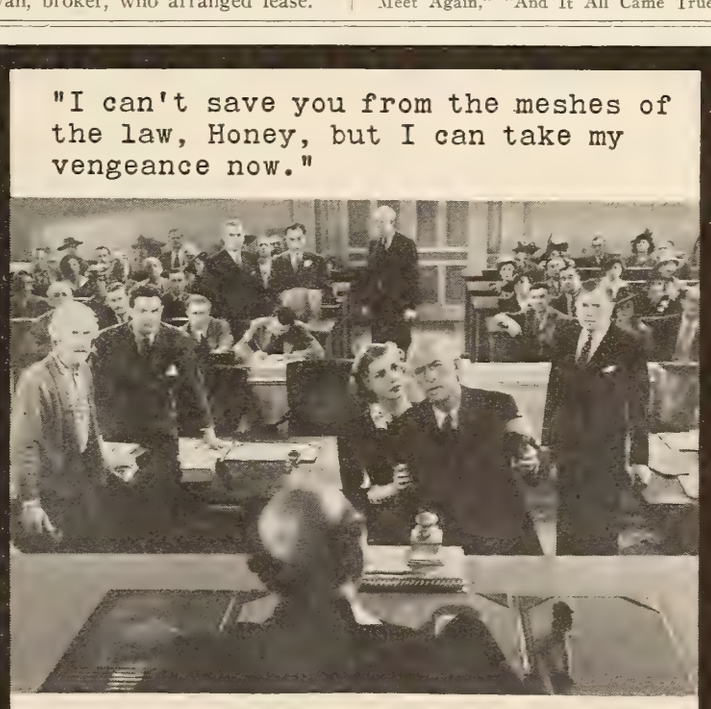
The Douglas Amusement Corp., operator of theatres in upper Manhattan and the Bronx, have added a downtown property to their chain by leasing the City Hall Theatre at 31-32 Park Row, facing City Hall Park. They will reopen the theatre after renovating it, according to Raymond Ryan, broker, who arranged lease.

Studios Gain 41 New Films Now in Work

HOLLYWOOD, Dec. 11.—Labor troubles over, production leaped to 41 pictures before the cameras, five more than last week's total, as eight started and three finished. Twenty-three are being prepared and 75 are being cut.

COLUMBIA—In Work: "The Lone Wolf Strikes," "Five Little Peppers at Home," and "Convicted Women."
GOLDWYN—In Work: "The Westerner."
M-G-M—In Work: "Broadway Melody of 1940," "Strange Cargo," "The Shop Around the Corner," "Congo Maisie," "Arouse and Beware," "Floria," "New Moon," "Young Tom Edison."
Started: "I Take This Woman."
MONOGRAM—Finished: "Mr. Wong at Headquarters."
PARAMOUNT — Finished: "The Biscuit Eater."
In Work: "Buck Benny Rides Again," "Safari," "At Good Old Siwash," "The Way of All Flesh."
Started: "Golden Gloves."
PRODUCERS PICTURES—Started: "The Sagebrush Family Trails West."
RKO—Finished: "The Marines Fly High."
In Work: "The Primrose Path," "Irene," "Little Orvie," "Glamour Boy No. 2," "Bullet Code."
Started: "Bill of Divorcement," "My Favorite Wife."
REPUBLIC—In Work: "The Wolf of New York," "Dark Command."
Started: "Village Barn Dance."
ROACH—In Work: "1,000,000 B. C."
SMALL—In Work: "My Son, My Son."
20TH CENTURY-FOX—In Work: "Shooting High."
Started: "Dance With the Devil."
UNIVERSAL—In Work: "Charlie McCarthy, Detective," "My Little Chickadee," "Oh, Johnny, How You can Love."
Started: "The Devil Is Yellow."
WARNERS—In Work: "Virginia City," "The Life of Dr. Ehrlich," "We Shall Meet Again," "And It All Came True."

"I can't save you from the meshes of the law, Honey, but I can take my vengeance now."



"MAIN STREET LAWYER"
with
EDWARD ELLIS • ANITA LOUISE
HAROLD HUBER • ROBERT BALDWIN • BEVERLY ROBERTS
A Republic Picture

Notes on Radio Personalities And Programs

WMCA today abandons its slogan "At the Top of the Dial" adopted several years ago, for a new one, "First on the Dial." The change was necessitated by the confusion created by the shift in designating wave bands from meters to kilocycles.

Previously, radio dials were numbered from one to 100, and WMCA, being at 95, was at the top. Now, with the kilocycles on the dial, the numbering reads from 500 to 1,500 and WMCA, with 570, is at the bottom. "Anyway," says WMCA, "top or bottom, we're first."

Lyn Murray, radio's prolific collector of choral groups, is planning a new one with a "name" baritone at the head. The idea is to obtain results similar to those obtained by instruments by having a background of rhythm with the lead voice in the quartet singing straight melody.

George Engles, vice-president in charge of NBC's Artists' Service, yesterday notified the 350 artists managed by the service that contracts had been signed with the American Guild of Musical Artists and the Screen Actors Guild concerning licensing of performers in the concert or motion picture fields.

Two renewals were announced yesterday by NBC. Lorillard & Co. renewed Larry Clinton's "Sensations and Swing" for 26 weeks on 60 Red stations. Lennen & Mitchell is the agency. The Carnation Co. renewed "Contented Hour" for 52 weeks on 63 Red stations. Erwin Wasey is the agency. Both renewals are effective Jan. 1.

John Garfield, Priscilla, Rosemary, Lola and Leota Lane, Jeffrey Lynn and Frank McHugh will be heard on a broadcast of Warners' "Four Daughters" on the Lux Radio Theatre program over CBS, Monday at 9 P.M. Theatre operators are purchasing time for spot announcements in an exploitation campaign for Warners' forthcoming "Four Wives."

Bob Daly, publicity director and news broadcaster for WTAM, Cleveland, is in town for a short visit.

Debate on Neely Bill At Ampa Thursday

A discussion of how the Neely bill, if passed, will affect all branches of the industry will be held at the Ampa luncheon meeting Thursday at Stouffer's restaurant.

Charles C. Pettijohn, general counsel, and David Palfreyman, exhibitor contact man, of the Hays office, will lead the discussion. There will be other speakers.

Korda Sails Back Abroad Thursday

Alexander Korda, who arrived from the Coast over the weekend, is scheduled to sail for Europe Thursday on the *Rex*. He is returning to England to put "Hunting of the U-Boat" into production and to finish the scoring on "Thief of Bagdad." He is scheduled to return here late in February with prints of both pictures.

Hollywood Review

"Nick Carter, Master Detective"

(M-G-M)

HOLLYWOOD, Dec. 11.—In "Nick Carter, Master Detective," which might be the start of a new series of pictures, M-G-M has 60 minutes of action and comedy, based on a topical exploitation-rich story of a plot by foreign agents to steal plans for a mystery plane being developed in a Southern California factory.

Streamlined to the extreme, the plot deals with the adventures of "Nick Carter," played with savoir faire by Walter Pidgeon, trailing thieves of the plans, saboteurs and ringleaders of the spy plot while at the same time paying attention to an incipient romance with a plane hostess, portrayed by Rita Johnson.

Bertram Millhauser, who adapted a story by himself and Harold Buckley, brings the fabulous "Nick Carter" up to date. The glamour of this famous character, whose exploits formed reading matter for generations of youngsters and elders, is not lessened by its transfer in a new dress in this Lucien Hubbard production. Jacques Tourneur, recently graduated from directing short subjects, handles the subject well in "Nick Carter, Master Detective," his first feature length duty.

The acting and direction assignments, as well as production efforts, were carried through with ease by the individuals credited, and the result is solid entertainment, according to preview audience indications. Supporting Pidgeon and Miss Johnson are Henry Hull, Stanley C. Ridges, Donald Meek who makes an extraordinary hit as an apiarist who indulges in crime detection as a hobby, Addison Richards, Sterling Holloway and others.

Running time, 60 minutes. "G."

*"G" denotes general classification.

Seek Early Neely Vote by Congress

(Continued from page 1)

the other hand, opponents of the legislation are urging its delay until it can be learned how the courts look upon the policy.

Department of Commerce officials, engaged in an effort to work out a program of trade practices which will extricate the distributors from their difficulties, evinced little interest in the measure. Reports that the department was attempting to work out something which would make the bill unnecessary or render its amendment desirable influenced Secretary Harry L. Hopkins to write a letter to Senator Neely last session denying that he has any intention or desire to interfere with Congress in its consideration of the problem.

Stockholders' Suit Hits Walter Reade

Walter Reade, his company, Reade Hudson Amusements, Inc., the Birch Holding Corp. of Hudson and the R. J. Service Corp. were named defendants yesterday in a stockholders' suit filed in the N. Y. Supreme Court by Henry and William Grossman and Henry H. Frieder.

Reade is charged with mismanaging the Reade Hudson company, operator of five Hudson, N. Y., theatres and with depriving the plaintiffs of a share in the management of the theatres. Appointment of a receiver, an accounting and removal of Reade from control of the company are asked.

More Chicago Briefs

CHICAGO, Dec. 11.—Additional supplementary briefs were filed by defense counsel today in the government's suit against Balaban & Katz and the majors. The government has 15 days to file a reply brief.

Van Schmus Party For Ilona Massey

Ilona Massey, M-G-M player featured in "Balalaika," was guest of honor at a cocktail reception given yesterday by W. G. Van Schmus, managing director of the Radio City Music Hall. Among those present were Howard Dietz, Gus Eyssell, Frank S. Nugent, Si Seadler, Suzie Lannar, Kelcey Allen, Dorothy Masters, Eileen Creelman, Sam Shain, George Morris, Al Finestone, Roy Chartier, Leon Leonidoff, Russell Downing, Hazel Flynn, Tom Pryor and William Boehnel.

Stein Gets Goldwyn Eastern Press Post

Edwin C. Stein, Eastern newspaperman, yesterday was named Eastern publicity representative for Samuel Goldwyn. Fred Storm resigned the post recently.

Stein has been managing editor of the Newark *Star-Eagle*, assistant managing editor of the New York *American* and film critic and dramatic editor of the Paul Block Newspapers. He also wrote a syndicated film column.

George Gerhard Dies

COS COB, Conn., Dec. 11.—George Gerhard, 49, last motion picture critic of the old *Evening World*, who later handled publicity for United Artists, Radio City Music Hall and RKO, died over the weekend at his home here. He had suffered for two years with a pulmonary tumor resulting from gassing during the World War.

Postpone Loew Luncheon

Christmas luncheon planned for employes of Loew's and M-G-M for Dec. 22 at the Hotel Astor has been postponed. All employes will be given a half holiday on that day beginning at 1 P. M.

CBS Hopeful Of Television By February

By AL FINESTONE

Development of new equipment, including lighting by General Electric and an improved camera by RCA, gives fair assurance that CBS will be able to start regular television service to the public in February, according to Gilbert Seldes, director of program production.

Such service is now limited in the East to NBC, which inaugurated a telecasting schedule under an experimental license more than six months ago.

Seldes plans a technique for program presentation different from that used by NBC.

At the start CBS will broadcast five hours of television weekly, and possibly more. "We will have as many hours as the public wants and as many as will be needed for a routine of programs," said Seldes. NBC at present is telecasting between 11 and 13 hours weekly.

Of the technical problems, the greatest has been studio lighting. CBS engineers have been seeking a system which would provide sufficient intensity without developing too much heat, which would hamper the actors. This has been overcome by General Electric, said Seldes.

Seldes believes that films will not play a major role in television, that the public will be more interested in pickups caught by the mobile camera outside the studio.

"Television's greatest appeal will be based on the element of immediate transmission," said Seldes. "It will not compete with newsreels, because the time element makes it necessary for a viewer to be in front of a receiver when an event happens, whereas most people will see the same event on a theatre screen.

"I don't think there will be competition with other forms of amusement, other than an overlapping on the edges. I can't conceive of a theatre playing 'Gone With the Wind' being hurt by a spelling bee on television."

Highest Court Will Study WKBB Fight

WASHINGTON, Dec. 11.—The U. S. Supreme Court today consented to review the WKBB case, in which the East Dubuque, Ia., station contested the granting by the Federal Communications Commission of a construction permit to the Dubuque *Telegraph-Herald* on the ground that the competition would cause economic injury.

Hold Warner Party

TROY, Dec. 11.—Warner Clubs of Albany and Troy held their annual banquet and motion picture ball here in the Hendrick Hudson Hotel with 500 industry employes and their wives on hand for the festivities.

Suit Over Contract

Suit for $18,737 damages for breach of a distribution contract was filed yesterday in N. Y. Supreme Court by Les Films Crystal S. A. and Jacques Haik against Chronos Films S.A. and Seymour Nebenzahl.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 115 NEW YORK, U. S. A., WEDNESDAY, DECEMBER 13, 1939 TEN CENTS

Trade Mourns Fairbanks Sr.; Rites Thursday

Dies at 56 During Sleep; In Films Since 1914

HOLLYWOOD, Dec. 12.—Douglas Fairbanks, Sr., died unexpectedly at his Santa Monica home early today.



Douglas Fairbanks

Death came to the veteran actor and producer at the age of 56. Except for a mild heart attack suffered on Monday, and from which he had apparently recovered, Fairbanks had not been ill.

Ordered to rest by his physician following Monday's attack, Fairbanks remained at his home. He was attended by a nurse for the remainder of the day. He expired while asleep about 1:30 A. M. Tuesday.

Funeral services are tentatively scheduled for Thursday, but final arrangements will be made tomorrow noon.

Fairbanks' sudden death was a profound shock to all Hollywood and to his many friends in New York, London and elsewhere. Countless expressions of sorrow poured in upon the family from all parts of the world as news of his passing spread rapidly.

Near Fairbanks at the time of his death were his wife, Lady Sylvia Ashley; his son, Douglas Fairbanks, Jr., and his brother, Robert Fairbanks.

Up to the time of his death he had

(*Continued on page 7*)

Trade Chiefs Laud Federation's Drive

David Bernstein, Major Albert Warner, Martin Quigley, License Commissioner Paul Moss and Attorney William Klein addressed the members of the Amusement Division Committee of the New York and Brooklyn Federations of Jewish Charities, at a luncheon meeting held yesterday at the Hotel Astor.

David Bernstein and Major Albert Warner are co-chairmen of the division.

Quigley praised the activities of the industry on behalf of the Federations,

(*Continued on page 2*)

Warrant Against Bioff Dismissed

Hollywood, Dec. 12.—Municipal Judge Wilbur Curtis today dismissed the fugitive warrant issued against William Bioff, I.A.T.S.E. leader, when it was revealed that Chicago authorities had made no move to seek his extradition in connection with a 17-year-old charge.

Warners Resume British Production

Warners have resumed production at the Teddington studio near London, the first American company to do so since the outbreak of the war.

Five features are scheduled for production between now and Spring. The first, "The Briggs Family," a story of a typical English family in wartime, is before the cameras.

A. F. Solomon, formerly studio manager, is in charge of production, succeeding Sam Sax, who returned here after the war started.

Releases to May 10 Are Fixed by RKO; Many Big Pictures

RKO has announced its feature release dates through May 10, with 25 pictures listed. Highlighting the listing, which is included in a letter addressed to all exhibitors in United States and Canada, are several which RKO considers its best of the year.

"The Hunchback of Notre Dame" is dated for Dec. 29. "Swiss Family Robinson" will be released on Jan. 26, and "Pinocchio," the Walt Disney feature-length cartoon, has a Feb. 23 release date.

Other outstanding films on the schedule, with their release dates, are: "Vigil in the Night," Feb. 16; "The Primrose Path," March 22; "My Favorite Wife," April 12; "A Bill of Divorcement," May 3; "Tom Brown's School Days," May 10.

As yet undated are "Abe Lincoln in Illinois" and "The Ramparts We Watch." A premiere of "Abe Lincoln in Illinois" will be held in Washington Jan. 22.

"Gone With the Wind"

[Selznick—M-G-M]

HOLLYWOOD, Dec. 12.—Everybody knows that this is longest picture ever produced, but only the 900 ladies and gentlemen of the press who witnessed the special preview of it this afternoon know positively from first hand experience that it is also the biggest, the greatest and the best.

Everybody else can take their collective word for it, for the present. And anybody who doesn't verify the opinion personally when opportunity presents itself might as well stop going to the cinema. This is, in every sense, the picture its sponsors have been saying it is, and they haven't said the half of it.

It's a long way back down the corridors of memory to a comparable film and that one was "The Birth of a Nation." Even this grand-daddy of all the big pictures is comparable only with allowance for date, circumstance and the then prevalent standards of art, industry and popular intelligence. There is a definite kinship of subject matter because both films span, and are highlighted, by the Civil War. Both also approach that conflict from the Confederacy's side and underscore the economic and human equations affected by the strife. There the parallel runs off the edge of the page. This film tells a bigger story and tells it infinitely better.

The ladies and gentlemen of the press who gathered in the Four Star Theatre today did not compose what might be termed a pushover audience. Here were people of the working press, people who had reported to the world the million or more big incidents and little incidents, the castings, the talent quests, the hoopla and the hard work that had been going on during the three years since David O. Selznick issued his first brave announcement about the picture he intended to make. These people were doubters from scratch, questioners all along the road, skeptics, professional quibblers, accustomed to discounting promises and allowing for exaggerations.

Today's story would have been a better story for every one of them if

(*Continued on page 4*)

Atlas in New Underwriting Offer to RKO

500,000 Shares, $3 Each; Hearing Friday

An agreement offering 500,000 shares of new RKO common stock at a price of $3 per share was submitted to Federal Judge Bondy for his approval by Atlas Corp. at a hearing yesterday.

The proposed agreement carries with it acceptance by the RKO board of directors who voted approval at a last minute meeting in the morning after "some difference of opinion" was expressed among directors.

A previous offer made on Aug. 3, and which subsequently lapsed, had fixed the number of shares at 375,000 and the price at $4 per share.

Judge Bondy ordered a hearing to be held Friday at 2:30 P. M. when views for and against the agreement will be expressed by attorneys. At that hearing, a report of the Security Exchange Commission, in all likelihood, will be submitted to the court, expressing the opinion of the S.E.C. as to the fairness of compensation and price.

The agreement calls for submission of an offer of the shares to holders of unsecured allowed claims and to Rockefeller Center, Inc., no later than Dec. 31. These creditors will then have twenty days to exercise their option to pick up the stock. Within two days of the expiration date of the option to creditors, RKO must notify Atlas of the number of unsubscribed shares remaining.

Atlas binds itself under the agreement to purchase and pay for all un-

(*Continued on page 4*)

'Gulliver' Will Get 3-House Premiere

A third theatre, the Community at Miami Beach, was taken over by Paramount yesterday for its world premiere of "Gulliver's Travels" next Monday night.

The demand for tickets forced the company to increase opening night facilities by making the third house available to the public. Following the premiere, the picture will be withdrawn from the Community and will have the continuous run only in the Sheridan and Colony, Miami Beach.

Arrangements for additional prints for the holidays were completed by Paramount, under which the company will be able to place 120 prints in cir-

(*Continued on page 4*)

Purely Personal

NATE BLUMBERG, Universal president, left the Coast for the home office last night after studio conferences.

•

LEO ABRAMS, short subject sales manager for Universal, returned yesterday from a three-week field trip, during which he visited nine of the company's exchanges.

•

MRS. RUTGERS NEILSON underwent a successful operation at St. Vincent's Hospital this week but is expected to require three or four weeks for complete recuperation.

•

MIKE TOMASINO, operator of the White Way and Victory in New Haven, has two children in the hospital recovering from appendicitis operations.

•

HAROLD B. FRANKLIN, A. P. WAXMAN, MAURICE BERGMAN, SIDNEY PHILLIPS, ARTHUR KRIM, GEORGE DEMBOW and MORRIS GEST at Sardi's for lunch yesterday.

•

BARNEY BALABAN, RUSSELL HOLMAN, TOBY GRUEN and ERNO RAPEE lunching at Nick's Hunting Room in the Astor yesterday.

•

BEN DARE, 20th Century-Fox salesman in Albany, with his wife and daughter, will leave this week to spend the holidays in Miami.

•

FRED PELTON, producers' labor contact, left New York yesterday for the Coast. PAT CASEY plans to leave today or tomorrow.

•

HARRY HELLMAN, operator of the Royal and Paramount in Albany, is in Florida for the Winter.

•

EARL WRIGHT, 20th Century-Fox salesman in New Haven, will leave on a two week vacation next week.

•

NATE GOLDSTEIN is here from Springfield, Mass., for Paramount home office conferences.

•

FRED MEYERS, RKO Theatres executive, has returned from a Coast trip.

•

BONNEY POWELL, Movietone News cameraman, is scheduled to leave on the *Rex* tomorrow to cover the war.

•

HERB MORGAN, M-G-M shorts publicity manager, returns from Washington today.

Trade Chiefs Laud Federation's Drive

(*Continued from page* 1)

describing the method of voluntary support of these institutions as being truly American in spirit and action. The president of the Quigley Publishing Company compared the American way of handling charity cases with that in Europe, where it is controlled by the Governments.

"We have advanced from a total contribution of $30,000 some five years ago to the splendid showing of $175,000 last year," Bernstein said. "This year we expect to go even beyond that."

Sam Rinzler and David Weinstock of the Independent Exhibitors Committee expect a record attendance at the committee's luncheon at the Astor next Tuesday.

Others who spoke briefly at the luncheon were Marvin Schenck, one of the co-chairmen of the Artists Committee, and Harry Buxbaum, chairman of the Exchanges Committee.

Among those who attended were: Julian Abeles, Max Blackman, Leo Brecker, Leopold Friedman, Harold Goldgraben, Herman Gluckman, Leon Goldberg, Milton Green, Monroe Greenthal, Arthur H. Israel, Joe Lee (20th-Fox), Bertram Lebhar, Milton Maier, Charles H. Moses, B. S. Moss, Eugene Picker, Sidney H. Piermont, Harold Rodner, Herman Robbins, Budd Rogers, Ed. Schnitzer, Max Seligman, Sam Shain, Charles Sonin, Sam Rosen, Max Rudnick and Robert Wolfe.

Lottery Conviction In Brooklyn Voided

Appellate division of the N. Y. Supreme Court yesterday reversed conviction of the management of the Atlantic Theatre, Brooklyn, on charges of operating a chance game in violation of the lottery laws.

The high court failed to rule on the merits, giving its opinion merely that the Court of Special Sessions, which heard the case last Summer, was without jurisdiction because it consisted of only one judge. The case was ordered to be retried before a three-judge court.

Set Four French Films

French Cinema Center, Inc., for 1940 will release four features, headed by "Harvest," now playing. The remaining three are: "Jardin de Murcie," "Le Schpountz" and "L'Or Dans la Montagne." All will have English titles.

Testing

Chicago, Dec. 12.—Ludwig Sussman, who operates the Adephi, is making a test to see just what the public wants. One day he runs a picture single feature, the next day he runs double features and the third day he goes to triple bills. After the tests Sussman expects to establish a definite policy.

Party by O'Connor For RKO Managers

John J. O'Connor, vice-president and general manager of RKO Theatres, tonight will play host to RKO division managers who will be his guests at dinner and a Broadway stage show.

Those who will participate in tonight's merrymaking are James Brennan, Russell Emde, W. B. England, Max Fellerman, Louis Goldberg, Tom Gorman, Nat Holt, William Howard, Malcolm Kingsberg, Charles Koerner, Harry Mandel, Charles McDonald, Harry McDonald, Fred Meyers, John J. O'Connor, Mort Singer, Sol Schwartz and Maj. Leslie Thompson.

SAG Asks 15% Wage Increase to Extras

HOLLYWOOD, Dec. 12.—The Screen Actors' Guild, at a meeting last night, voted to ask for a 15 per cent general wage increase for extras, and a new classification of extra work.

Negotiations between the Guild and the producers on terms for extras will open on Dec. 19.

Trust Case Hearing At Nashville Jan. 4

NASHVILLE, Dec. 12.—Motions by film company defendants in the Government anti-trust suit against Tony Sudekum's Crescent Amusement Co. here will be heard in U. S. District Court on Jan. 4.

Defendants' motions include those for bills of particulars from the Government.

Stoll Succeeds Bloom

Clarence G. Stoll, vice-president in charge of Western Electric operations since 1928, yesterday was elected president, succeeding Edgar S. Bloom, who will retire Dec. 31, at 65, in accordance with company practice. Stoll has been with Western Electric for 36 years.

Rialto Theatre Fete

The annual Rialto Theatre frolic to be given for Arthur Mayer by his staff will be held at 9 p.m. Friday, Dec. 22, at the Rialto headquarters. The party will celebrate the fourth anniversary of Mayer's reign.

Technicolor Dividend

Board of directors of Technicolor yesterday declared a dividend of 40 cents per share on the company's stock, payable Dec. 28 to stockholders of record on Dec. 20.

Honor Bernhard

Warner Theatre zone managers, following their home office meeting, last night honored Joseph Bernhard, general manager, at a dinner at the Hotel St. Moritz.

M'Guire 20 Years At Projector Corp.

P. A. McGuire is observing his 20th year as advertising and publicity director of International Projector Corp.

He became associated with Nicholas Power Corp. as its advertising manager in 1919. About six years later this firm was merged with Precision Machine Co. to form International Projector Machine Corp., and Mc-Guire continued with the new company in the same capacity.

The first advertising copy prepared by McGuire appeared in *Motion Picture World,* one of the trade papers now consolidated with *Motion Picture Herald,* in the issue of Nov. 8, 1919.

In addition to his advertising and publicity work, McGuire has been continuously active in affairs of the Society of M. P. Engineers, and is one of the founders of the American Projection Society. Last September he organized Projectionists' Day at the New York World's Fair as a tribute to the craft.

Warner Club Fetes 2,500 on Saturday

About 2,500 Warner employees and their families will gather at the company's Brooklyn Vitaphone studios Saturday to attend the annual Kiddie Christmas party of the Warner Club.

A round of entertainment has been arranged for the children with Sound Stage No. 4 turned into a one-ring circus. Santa Claus will be present to distribute gifts to youngsters.

The arrangements committee consists of Ralph Budd, chairman; Harry Mayer, Ed Savin, George O'Keefe, Nat Fellman, President of the Warner Club, Harold Rodner, Joe Englander, Murray Schiff and Irving Birnbaum.

Selig in Chicago

CHICAGO, Dec. 12.—A. L. Selig, RKO exploiteer, is here in Chicago for two weeks to start a campaign for "The Hunchback of Notre Dame." He will work under Tom Gorman and Bob Haley on the campaign for the Palace.

Pathe Newsreel Party

Employees of Pathe Newsreel will hold a cocktail party at Mon Paris, 52nd St. supper club, on Wednesday afternoon, Dec. 22. Fred Ullman, vice-president of the organization, heads the arrangements committee.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Christmas is laughing time!

"JUDGE HARDY AND SON"

from M-G-M

EXTRA!



JUST PREVIEWED!

(and oh boy are we excited!)

"JUDGE HARDY AND SON"

(They laughed! They howled! They wept! It's grand!)

350 HOLIDAY BOOKINGS!

(Wham! What a sweet show for every man, woman and child!)

SHOUT THE NEWS IT'S TOPS!

(Yes, indeed, of all the glorious Hardy series here's the grandest!)

THAT LEAPING LION'S HOT!

(Mr. Exhibitor, keep your eyes on M-G-M! More hits on the way!)

M-G-M happily presents **"JUDGE HARDY AND SON"** with LEWIS STONE, MICKEY ROONEY, CECILIA PARKER, FAY HOLDEN. Original Story and Screen Play by Carey Wilson. Directed by GEORGE B. SEITZ

'Wind' Stars Get Atlanta's Bows Today

ATLANTA, Dec. 12. — Twentieth century Atlanta, decked out in the atmospheric costumes of the Sixties, today busily prepared to welcome the influx of Hollywood celebrities for Friday night's world premiere of "Gone With the Wind."

Arriving tomorrow will be a plane from Hollywood, bearing Mr. and Mrs. David O. Selznick, Vivien Leigh, Olivia de Havilland, Laurence Olivier, Russell Birdwell and Ann Rutherford.

A chartered plane bringing Clark Gable, Carole Lombard, Victor Fleming, Howard Strickling and Otto Winkler is due to leave Hollywood Thursday morning.

Also arriving tomorrow are Howard Strickling, M-G-M director of advertising and publicity, and Mrs. Strickling from New York.

Miss Rutherford will speak at a Junior Chamber of Commerce luncheon Thursday.

A huge street parade will occupy the attention of all Atlanta Thursday. In the evening will be a gala Junior League ball, reproduced from a scene from "Gone With the Wind." The film's stars will be guests of honor.

All seats for the premiere have been sold at $10 each with some scalpers succeeding in disposing of tickets for as high as $100 apiece.

Newsreel pictures have been made of the girl selected from among Atlanta debutantes and Junior Leaguers for the distinction of wearing the green sprig dress worn by Miss Leigh in the picture.

All Atlanta today exhibited a decorative effect in keeping with the premiere.

The front of Loew's Grand, where the premiere takes place, will be a reproduced old Southern mansion.

Friday will be a public holiday throughout Georgia. Gov. Rivers has ordered the state capitol and all state buildings closed on that day.

Rodgers Defends 'Wind' Terms, Criticized by Ohioan

William F. Rodgers, general sales manager of M-G-M, yesterday termed as "unfair" criticism of the "Gone With the Wind" sales policy by independent exhibitor organization spokesmen.

"Gone With the Wind" has not yet been offered generally. Deals are being negotiated only for preliminary first runs in 25 exchange cities in addition to the seven key cities which will open with the picture this month.

Specifically, Rodgers referred to a bulletin issued by P. J. Wood, secretary of the I.T.O. of Ohio in which he said that M-G-M is not entitled to 70 per cent rental from the "average run-of-the-mine exhibitor."

Rodgers said: "Wood says nothing about M-G-M guaranteeing a profit to every exhibitor who will play the picture on the announced terms. After the reviews appear in the press, and public reaction and the grosses become known, I am confident that any exhibitor would be glad to book the picture on our terms."

Rodgers pointed out that Wood spoke for himself as it was not indicated that the bulletin was an official expression of the organization.

"Gone With the Wind"

[Selznick—M-G-M]

(*Continued from page* 1)

they could scream in headlines that Mr. Sleznick had let them down, had turned out just another movie. Instead, they thrilled and wept and cheered and applauded and behaved for all the world like just that many completely entertained fans. This was the toughest audience the film will ever have to conquer and it took them, like Sherman took Atlanta, right there before their eyes.

It would be an easy matter and in no way inappropriate to fill this edition of MOTION PICTURE DAILY with commentary on individual successes which combine to make this the spectacular success it is. Clark Gable's slashing performance, Vivien Leigh's incredibly realistic handling of perhaps the most difficult portrayal ever assigned to a heroine; Leslie Howard's superb treatment of an unflattering characterization and Olivia de Havilland's trimphant understatement of a sympathetic role are but four of some forty approximately perfect demonstrations of acting ability.

Victor Fleming's direction of the production sets him permanently in the front rank of his craft. The screen play is an imperishable monument to the artistry of the late Sidney Howard.

Margaret Mitchell's story is followed faithfully, both as to incident and significance. It is in film, as it was in print, a story for adults. It takes the observer from the artistocratic South of pre-war days through the embattled and burning Atlanta of the conflict to the trampled South of the carpetbagger era and on into the South of the reconstruction. These were not pretty times and there is no veneering of what went on. Men are slain, a countryside is put to the torch, homes are ravished, injustice thrives, babies are born and die, industry perishes, only a brothel remains solvent. A gun runner is a hero and a harlot donates her gold to the cause. The film contains the first "damn" uttered under the production code in memory and there is plain talk when the story calls for it.

All previous uses of color are as mere experimental reaches toward the perfection obtained in this stupendous pigmentation.

The burning of Atlanta is the most spectacular single incident, but it is only one of dozens that grip attention and stir emotion. The first hour and 45 minutes, preceding the intermission, made all the other pictures of the last ten years seem trivial. The second hour and 55 minutes made David O. Selznick the greatest of all motion picture producers living or dead.

Running time, 220 minutes. "A"* WILLIAM R. WEAVER

**"A" denotes adult classification.*

Brooklyn Theatre Files Trust Action

An anti-trust suit was filed in the Brooklyn Federal Court yesterday by 395 Amusement Corp., operator of the Gloria, 395 Court St., Brooklyn, against Randforce Amusement Corp., Samuel Rinzler, Louis Frisch, William Yost, 20th Century-Fox, RKO, Warners, Columbia, Paramount, Universal, United Artists, Vitagraph, Big "U" Film Exchanges and Republic Film Exchanges.

The complaint alleges that Yost built a new 1,800-seat house, the Clinton, on Clinton and Mills Sts., and that the house was acquired by Randforce last month. As a result of an alleged conspiracy, the complaint continues, the Gloria, which has 600 seats, was unable to obtain product and has been losing $200 weekly.

Dates for Anti-Trust Suits Fixed at Dallas

DALLAS, Dec. 12.—Two suits brought against Interstate Circuit, Paramount Pictures and others under the provisions of the Sherman Anti-Trust Act, were set down for trial in January and February, when Federal Judge William H. Atwell set his docket here.

Paul Scott, former owner of the Village, in Dallas, is suing in a case to be heard Jan. 22 and L. L. Dunbar is the plaintiff in the second suit set for Feb. 8.

N. Y. Allied to Talk Conciliation Today

Allied of New York members, at a meeting at the Statler Hotel in Buffalo today, will discuss the possibility of setting up machinery to conciliate industry disputes in New York state.

Max A. Cohen, president, will report on conferences he has had with sales managers of the major companies. Most of the distribution heads have indicated willingness to consider a conciliation plan if a feasible one can be determined.

The meeting will elect officers and directors and adopt by-laws. Cohen has no opposition for reelection as president.

Cohen and Edmund Souhami, counsel, left for Buffalo last night.

Council Asks Data On Quota Pictures

LONDON, Dec. 12.—Following the meeting today of the Films Council, British Government unit concerned with the operation of the Films Act, all British and American distributors in England were asked to supply details of the cost and revenues of British quota films for the past two years.

It is understood the American distributors in England were asked to supply details of the cost and revenues of British quota films for the past two years.

Atlas in New Underwriting Offer to RKO

(*Continued from page* 1)

subscribed stock at $3 within from two to seven days after receipt of notice from RKO.

Compensation for underwriting the stock will be paid to Atlas on a total of two computations. First, Atlas will receive $1,666, representing one-third of a cent for each share, for each day that expires between Dec. 12, date of the proposal, and the date of notification by RKO of the number of unsubscribed shares. Second, Atlas will be paid 25 cents for every share of unsubscribed stock which it must pick up.

Dec. 23 Deadline

The agreement is predicated upon a number of conditions which may, if they occur, revoke the proposal. Most important proviso gives Atlas the right to withdraw its offer if the U. S. Supreme Court grants a review to any application now before it to appeal the order confirming the plan of reorganization.

Moreover, if the agreement is not approved by Judge Bondy on or before Dec. 23 it automatically becomes "null and void". Finally, the agreement gives Atlas the option to withdraw if RKO does not make its offer to creditors on or before Dec. 31.

In response to questions from the court, Hamilton C. Rickaby stated that the maximum compensation to Atlas would amount to approximately $175,000. Rickaby described the price of $3 as much more liberal than that which would be offered by a banking house and evinced a readiness to step out if a better offer could be produced.

SEC Report by Friday

An S.E.C. representative at the hearing assured Judge Bondy that the Commission would immediately act upon the agreement and make every effort to have its report before the court by Dec. 15.

Accompanying the offer was a letter from Atlas which ascribed the reduction of price from the $4 per share previously offered to war conditions. Reduction in the foreign markets, a drop in the exchange rate of foreign currencies, restrictions on the transfer of funds, and a drop in the market price of film stocks, all due to the war, had necessitated a lower price, the letter stated.

'Gulliver' Will Get 3-House Premiere

(*Continued from page* 1)

culation during the period instead of the 41 originally scheduled.

Neil F. Agnew, Paramount vice-president in charge of distribution, and Charles Reagan, Western division manager, are on a tour of key cities now completing negotiations for the additional openings made possible by the extra print supply.

Dave Fleischer, director of the picture, arrived yesterday from Hollywood where he completed the cutting and editing. He will remain for "Gulliver's" New York premiere at the Paramount, Dec. 20.

NOW IN SECOND SUCCESSFUL YEAR

ANNOUNCED over a year ago, Eastman's three new negative films scored an instant success. Today, Plus-X, Super-XX, and Background-X are firmly established favorites. Throughout the industry their unrivalled photographic quality and trustworthy uniformity receive well-merited acclaim. Eastman Kodak Co., Rochester, N.Y. (J.E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work

'That's Right' Is Boston Hit With $49,500

BOSTON, Dec. 12.—With Kay Kyser in person, and on the screen in "That's Right, You're Wrong," the Boston smashed the house record to the tune of $49,500.

Estimated takings for the week ending Dec. 6:

"That's Right, You're Wrong" (RKO)
RKO KEITH BOSTON—(3,200) (40c-65c) 7 days. Kyser on stage. Gross: $49,500. (Average, $14,500)
"Daytime Wife" (20th-Fox)
"20,000 Men a Year" (20th-Fox)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days. Gross: $15,000. (Average, $14,500)
"Dress Parade" (W. B.)
"Main Street Lawyer" (Rep.)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $10,300. (Average, $7,000)
"Dress Parade" (W. B.)
"Main Street Lawyer" (Rep.)
FENWAY—(1,382) (25c-35c-40c-55c) 7 days. Gross: $5,500. (Average, $4,500)
"Rulers of the Sea" (Para.)
"City of Darkness" (20th-Fox)
METROPOLITAN—(4,332) (25c-35c-40c-55c), 7 days. Gross: $15,000. (Average, $14,500)
"Another Thin Man" (M-G-M)
"Winter Carnival" (U. A.)
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 7 days. Gross: $20,000. (Average, $14,500)
"Another Thin Man" (M-G-M)
"Winter Carnival" (U. A.)
LOEW'S STATE—(3,000) (25c-35c-40c-55c), 7 days. Gross: $15,000. (Average, $11,000)
"Drums Along the Mohawk" (20th-Fox)
"Too Busy to Work" (20th-Fox)
SCOLLAY—(2,500) (25c-35c-40c-50c) 7 days. Gross: $5,500. (Average, $4,000)

'Ninotchka' Draws $15,500, Cleveland

CLEVELAND, Dec. 12.—"Ninotchka" drew a strong $15,500 at Loew's State. "Another Thin Man" took $7,000 at the Stillman.

Estimated takings for the week ending Dec. 7:

"The Private Lives of Elizabeth & Essex" (W. B.)
ALLEN—(3,000) (30c-35c-42c) 7 days, 2nd week. Gross: $4,000. (Average, $4,000)
"First Love" (Univ.)
WARNER'S HIPPODROME—(3,800) (30c-35c-42c) 7 days. Gross: $12,000. (Average, $11,000)
"Barricade" (20th-Fox)
RKO PALACE—(3,100) (30c-42c-55c) 7 days. Bert Wheeler and show on stage. Gross: $11,500. (Average, $14,000)
"Ninotchka" (M-G-M)
LOEW'S STATE—(3,500) (30c-35c-42c) 7 days. Gross: $15,500. (Average, $11,000)
"Another Thin Man" (M-G-M)
LOEW'S STILLMAN—(1,900) (30c-35c-42c) 7 days, 2nd week. Gross: $7,000. (Average, $4,000)

'Thin Man' Scores Big $10,600, Omaha

OMAHA, Dec. 12.—"Another Thin Man" drew $10,600 at the Omaha. "That's Right, You're Wrong" took $7,100 at the Brandeis.

Estimated takings for the week ending Dec. 7-8:

"That's Right; You're Wrong" (RKO)
"Espionage Agent" (W. B.)
BRANDEIS—(1,200) (25c-35c-40c) 9 days. Gross: $7,100. (Average, $4,000)
"Another Thin Man" (M-G-M)
"Heaven With A Barbed Wire Fence" (20th-Fox)
OMAHA—(2,200) (25c-40c) 8 days. Gross: $10,600. (Average, $6,000)
"Day-Time Wife" (20th-Fox)
"Rio" (Univ.)
ORPHEUM — (3,000) (25c-40c) 8 days. Gross: $8,100. (Average, $7,600)
"Fast and Furious" (M-G-M)
PARAMOUNT—(3,000) (35c-55c) 6 days. Gross: $13,600. (Average, $12,500)

Hollywood Review

"Double Deal"

(International Roadshows)

HOLLYWOOD, Dec. 12.—This melodrama with music, enacted by a Negro cast and produced primarily for theatres patronized by Negroes, is a straightforward presentation of a plausible story about a robbery in which a murder is committed and the effects of that crime upon guilty and innocent. The locale is Harlem or any similar place. Much of the action takes place in and around a night club and the film includes three song numbers, two of them by Shelton Brooks, writer of "Some of These Days," who also contributes a brief pianologue.

Directed by Arthur Dreifuss from a screenplay by Arthur Hoerl, the picture is professional in every respect, more so than many a mine-run melodrama turned out by more widely known Hollywood studios. Monte Hawley, Jeni LeGun, Eddie Thompson, Florence O'Brien, Freddie Jackson, Buck Woods and P. E. Miller play principal roles. Dialogue throughout is in the idiom of the race, as is the humor. It is a Dixon B. Harwin production carrying the Argus Pictures insignia.

Running time, 55 minutes. "G."* ROSCOE WILLIAMS

**"G" denotes general classification.*

'Reno,' Stage Show Are Buffalo Smash

BUFFALO, Dec. 12.—"Reno" rang up a magnificent $25,400 at the Twentieth Century, aided by the "Folies Bergere" on the stage.

Estimated takings for the week ending Dec. 9:

"Day-Time Wife" (20th-Fox)
BUFFALO—(3,000) (30c-35c-55c) 7 days. Gene Krupa and band and Andrews Sisters on stage. Gross: $23,700. (Average, $12,000)
"Rulers of the Sea" (Para.)
"Joe and Ethel Turp Call on the President" (M-G-M)
GREAT LAKES—(3,000) (30c-50c) 7 days. Gross: $7,000. (Average, $7,500)
"Jamaica Inn" (Para.)
"Stop, Look and Love" (20th-Fox)
HIPPODROME—(2,500) (25c-35c) 7 days. Gross: $7,200. (Average, $6,800)
"Reno" (RKO)
TWENTIETH CENTURY—(3,500) (30c-35c-50c) 7 days. Folies Bergere on stage. Gross: $25,400. (Average, $6,800)
"First Love" (Univ.)
"Hero For A Day" (Univ.)
LAFAYETTE—(3,300) (25c-35c) 7 days, 2nd week. Gross: $8,100. (Average, $6,300)

Radio Pair Scores Indianapolis Sweep

INDIANAPOLIS, Dec. 12.—Lum and Abner plus Shep Fields' orchestra on the stage at the Lyric brought $15,700, fifth best gross in the history of the house. "Man from Montreal" was on the screen.

Estimated takings for the week ending Dec. 8:

"Return of the Frog" (G. B.)
"Demon Barber of Fleet Street" (Select)
APOLLO—(1,100) (25c-40c) 7 days. Gross: $3,000. (Average, $2,500)
"We Are Not Alone" (W. B.)
"Private Detective" (W. B.)
CIRCLE—(2,800) (25c-40c) 7 days. Gross: $3,500. (Average, $6,000)
"Destry Rides Again" (Univ.)
"Laugh It Off" (Univ.)
INDIANA — (3,200) (25c-40c) 7 days. Gross: $7,300. (Average, $5,000)
"Ninotchka" (M-G-M)
"Joe and Ethel Turp Call on the President" (M-G-M)
LOEW'S—(2,800) (25c-40c) 7 days. Gross: $8,500. (Average, $7,000)
"Man From Montreal" (Univ.)
LYRIC—(2,000) (25c-40c) 7 days. Stage: Lum and Abner; Shep Fields and orchestra. Gross: $15,700. (Average, $8,000)

William Melvin Dies

ST. PETERSBURG, Fla., Dec. 12.—William Joseph Melvin, theatre man and resident here for 22 years, died in a local hospital. He was manager of Publix Theatres here for several years.

'Right' Providence Leader at $9,200

PROVIDENCE, Dec. 12.—The RKO-Albee's double, "That's Right, You're Wrong" and "Three Sons" pulled $9,200, and "Another Thin Man," dualed with "Those High Grey Walls" at Loew's State, was good for the $15,800.

Estimated takings for the week ending Dec. 5-7:

"That's Right, You're Wrong" (RKO)
"Three Sons" (RKO)
RKO-ALBEE—(2,239) (25c-35c-50c) 7 days. Gross: $9,200. (Average, $6,000)
"Another Thin Man" (M-G-M)
"Those High Grey Walls" (Col.)
LOEW'S STATE—(3,230) (25c-35c-50c) 8 days. Gross: $15,800. (Average, 7 days, $11,000)
"Private Lives of Elizabeth and Essex" (W. B.)
"Private Detective" (W. B.)
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $7,300. (Average, $7,000)
"Rulers of the Sea" (Para.)
"The Covered Trailer" (Rep.)
STRAND — (2,100) (25c-35c-50c) 7 days. Gross: $7,200. (Average, $6,000)
"Call A Messenger" (Univ.)
FAY'S—(1,800) (25c-35c-40c) 7 days. Stage show featuring Texas Jim Lewis and Lone Star Cowboys; Francis and Gray; Chick and Lee; Rita and Jean Clark; Fortunelli and Cirennelli. Gross: $6,800. (Average, $6,500)
"Ninotchka" (M-G-M)
"Fast and Furious" (M-G-M)
CARLTON—(1,526) (25c-35c-50c) 8 days, 2nd week. Gross: $4,200 (Average, 7 days, $3,500)
"Dust Be My Destiny" (W. B.) (3 days)
"$1,000 A Touchdown" (Para.) (3 days)
"Disputed Passage" (Para.) (4 days)
"20,000 Men A Year" (20th-Fox) (4 days)
EMPIRE — (2,200) (20c-30c) 2nd run. Gross: $1,700. (Average, $1,800)

'That's Right' Hits $18,000, St. Louis

ST. LOUIS, Dec. 12.—"That's Right, You're Wrong," coupled with Dave Appolon's stage revue, brought $18,000) at the Fox. "Another Thin Man," in the second week at Loew's State, garnered $11,000.

Estimated grosses for week ending Dec 7:

"Another Thin Man" (M-G-M)
LOEW'S STATE—(3,162) (25c-40c-55c) 7 days. Gross: $11,000. (Average, $13,000)
"That's Right, You're Wrong" (RKO)
FOX—(5,038) (25c-40c-55c) 7 days. Gross: $18,000. (Average, $11,000)
"We Are Not Alone" (W. B.)
AMBASSADOR — (3,018) (25c-40c-55c) 8 days. Gross: $8,000. (Average, 7 days, $11,500)
"First Love" (Univ.)
"Day-Time Wife" (20th-Fox)
MISSOURI—(3,514) (25c-40c-55c) 7 days. Gross: $3,500. (Average, $4,000)

'Circus' Gets Good $13,400, Minneapolis

MINNEAPOLIS, Dec. 12.—Best business in Minneapolis was won by "A Day at the Circus" at the Orpheum, which, with the help of Clyde McCoy and his orchestra, was good for $13,400.

In St. Paul the leader was "That's Right, You're Wrong" at the Orpheum, with $4,500.

Estimated averages for the week ending Dec. 7:

St. Paul:

"Tropic Fury" (Univ.)
"Flying Deuces" (RKO)
"Sued for Libel" (RKO)
"One Hour to Live" (Univ.)
ASTER—(900) (15c-25c). Dual bills, split week. Gross: $2,500. (Average, $1,500)
"Jamaica Inn" (Para.)
CENTURY—(25c-40c) 9 days. Gross: $7,500. (Average, 7 days, $4,000)
"Ballerina" (French)
ESQUIRE—(290) (25c-40c) 10 days. Gross: $1,200. (Average, 7 days, $700)
"The Cat and the Canary" (Para.)
GOPHER—(990) (25c) 9 days. Gross: $5,700. (Average for 7 days, $2,500)
"Heroes in Blue" (Mono.)
MINNESOTA—(4,300) (20c-40c) 7 days with Marcus Revue. Gross: $11,500. (Average, $6,000)
"A Day at the Circus" (M-G-M)
ORPHEUM—(2,900) (25c-40c) 7 days. Clyde McCoy stage unit. Gross: $13,400. (Average, without stage show, $4,400)
"Rulers of the Sea" (Para.)
STATE—(2,300) (25c-40c) 7 days. Gross: $5,000. (Average, $4,400)
"First Love" (Univ.)
WORLD—(400) (25c-55c) 7 days after two wekes at Orpheum. Gross: $1,800.

Minneapolis:

"That's Right, You're Wrong" (RKO)
ORPHEUM—(2,000) (25c-40c) 7 days. Gross: $4,500 (Average, $3,200)
"Rulers of the Sea" (Para.)
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $4,400. (Average, $4,400)
"Cat and the Canary" (Para.)
RIVIERA—(1,000) (25c) 7 days. Gross: $2,700. (Average, $1,800)
"Too Busy to Work" (20th-Fox)
"Three Sons" (RKO)
TOWER—(1,000) (25c) 7 days. Gross: $1,700. (Average, $1,600)
"First Love" (Univ.)
WORLD—(400) (25c-55c) 7 days, 2nd week. Gross: $1,100. (Average, $700)

Eddie Cantor Sets Cincinnati Record

CINCINNATI, Dec. 12.—The heaviest gross in many years was piled up by Eddie Cantor and his revue, plus "Reno" on the screen, the combination giving the RKO Albee a terrific $27,500 at higher admissions. "Another Thin Man" garnered a smash $15,500 at the RKO Palace.

Estimated takings for the week ending Dec. 6-9:

"Reno" (RKO)
RKO ALBEE—(3,300) (42c-65c) 7 days. Eddie Cantor Revue. Gross: $27,500. (Average, $12,000)
"After the Thin Man" (M-G-M)
RKO PALACE—(2,700) (35c-42) 7 days. Gross: $15,500. (Average, $10,000)
"Jamaica Inn" (Para.)
RKO SHUBERT—(2,150) (35c-42) 7 days. Gross: $7,500. (Average, $10,000)
"Ninotchka" (M-G-M)
RKO CAPITOL—(2,000) (35c-42c) 7 days. 2nd week. Gross: $4,000. (Average, $6,500)
"That's Right, You're Wrong" (RKO)
RKO LYRIC—(1,400) (25c-40c) 7 days. 2nd week. Gross: $4,000. (Average, $5,000)
"Legion of Lost Flyers" (Univ.)
"Charlie Chan in the City of Darkness" (20th-Fox)
RKO FAMILY—(1,000) (15c-25c) 4 days. Gross: $1,500. (Average, $1,500)
"Everything's On Ice" (RKO)
"Sued For Libel" (RKO)
RKO FAMILY—(1,000) (15c-25c) 3 days. Gross: $850. (Average, $900)
"The Cat and the Canary" (Para.)
KEITH'S—(1,500) (30c-40c) 7 days. Gross: $4,200. (Average, $6,000)

Trade Mourns Fairbanks Sr.; Rites Thursday

(Continued from page 1)

been engaged in making plans for a new production based on the story of L. Montez, in which he had planned to play a small part himself. The picture, tentatively titled "The Californian," was to have starred Douglas Fairbanks, Jr., and Isa Miranda, and was to have been released by United Artists.

Fairbanks owned a one-fifth interest in United Artists. Provisions for disposal of the stock are contained in his will and may not be known definitely until the will is probated.

Murray Silverstone, United Artists chief executive, who had planned to leave here for New York on Wednesday, postponed his departure in order to attend the funeral. Harry Buckley, Norris Wilcox and Basil Bleck of the United Artists home office are expected here by plane on Wednesday to attend the services.

Charles Chaplin, also a one-fifth owner of United Artists and a friend and associate of Fairbanks' for many years, was too overcome by news of the death either to comment publicly or to continue work today on his tentatively titled "Production No. 6."

Mary Pickford, Fairbanks' former wife, was informed of the death in Chicago, where she is visiting.

Fairbanks was born in Denver and educated at the Jarvis Military Academy, East Denver high school and Colorado School of Mines. His first professional experience was gained with a Shakespearean repertoire company headed by Frederick Warde, a family friend. He left the stage and entered Harvard as a special student, but eventually returned to the footlights.

He was induced to enter motion pictures by D. W. Griffith in 1914 on a 10 weeks contract at $2,000 per week. His first picture was "The Lamb," which won him a doubled salary from the old Triangle Co. He made more than 20 pictures subsequently for Griffith and the Artcraft company, which was afterward acquired by Famous Players-Lasky Corp.

During that period he formed his own producing company, Douglas Fairbanks Pictures Corp. Subsequently he became associated with United Artists and one of its owners.

He married Mary Pickford in 1920. They were co-starred in "The Taming of the Shrew." His first picture after the advent of sound was "Reaching for the Moon," with Bebe Daniels as his leading lady. Subsequently, he made a camera record of a world trip and released it in 1931 under the title of "Around the World in 80 Minutes with Douglas Fairbanks." In 1932, he produced "Mr. Robinson Crusoe" in Tahiti, with Maria Alba and William Farnum.

He was among the first producers to chance high budgets on lavish productions. His "Three Musketeers" set a record for its day with a cost of $700,000. "Robin Hood" and "The Thief of Bagdad" were other Fairbanks productions running to unusual costs for their time.

Fairbanks Eulogized

Joseph M. Schenck, president of the Association of M. P. Producers: "Douglas Fairbanks' sudden passing was a shock that will be felt throughout the world. As his business associate for many years and as his friend for even longer, I feel his loss beyond the mere expression of words. Many of the figures of the pioneer days of motion pictures have answered the call of time, but none have gone beyond trailing a greater glory or wider esteem than Doug Fairbanks. He made the world laugh, he made it cry, he gave to mankind an example of heroic figures striving for novel ideals. On the screen he gave the world princely characters who taught fellow men to love each other and the world learned to love him in return. Such men are greater than those of today who use princely powers to spread the example of hate. On departing this life he leaves a memory that all who know him, whether on the screen or in reality, will cherish with loving tenderness."

Maurice Silverstone, United Artists chief executive: "To the thousands within the industry and to the millions outside it, the passing of Douglas Fairbanks is a deep loss. To us who grew up within the artistic and business framework that is United Artists, Doug's going is irreparable. At the moment, we can only try to keep and to carry onward the high standards he set for us. He wouldn't have wanted any more."

Watterson Rothacker: "I feel that the screen has lost a personality not likely to be replaced in a comparable manner. Mr. Fairbanks came to the flower of stardom at a time when the motion picture was coming to bloom amid the arts. He breathed into it the cleanliness and manliness growing America needed then and always. His example will never be duplicated."

Will H. Hays: "Death has been called the Great Adventure. To all the millions who knew Douglas Fairbanks on the screen he was the daring adventurer—the epitome of life in action. To those of us privileged to know him personally, he was also a well beloved companion."

L. J. Schlaifer, United Artists vice president: "The shocking news of Douglas Fairbanks' passing comes as a profound blow to me and to all members of United Artists.

"His untimely death will be keenly felt."

Harry Gold, United Artists vice president: "We of United Artists feel that the story of Douglas Fairbanks, his rise, his success, his standards, is the story of United Artists. One went along with the other, inseparable.

"The personal loss each of us feels is great. We have lost a friend—my friend for 20 years—and a standard-bearer. In this industry, he was a great marching companion, extending his marvelous vitality and enthusiasm all the way down the line."

Arthur W. Kelly, United Artists vice-president: "As a star of motion pictures, Douglas Fairbanks is mourned by the vast masses who loved him. As a pioneer in an industry, he is mourned by his associates who respected him. As a friend, his passing is a source of profound grief to those who knew him. Doug's going is a loss we can never stop feeling."

Harry D. Buckley, United Artists vice-president: "After an intimate association of more than 20 years, the passing of Douglas Fairbanks is a profound personal loss.

"As friend and as business associate, Doug's wisdom, his integrity and his warmth were always a source of inspiration to me. His passing leaves a void that can never be filled."

Samuel Goldwyn: "I feel a great personal loss in the passing of Mr. Fairbanks with whom I have been associated for so many years. His contributions have been so great, not only to the industry but to all of us who were his friends, that the whole community will miss him greatly."

Y. Frank Freeman: "I have long admired Mr. Fairbanks. He was a pioneer not only in the production of big pictures but also in his conduct, indicating the path that future stars were to follow. He was the idol of millions of boys and he was a worthy one. I doubt if any single man has ever had more friends in every land in the world and all will miss him greatly."

William Lebaron: "In the death of Douglas Fairbanks the motion picture industry has lost one of its most important ambassadors. During the time he was active in the making of pictures he was the symbol of Hollywood and the model for Hollywood to millions of friends throughout the world. The industry needs men like Fairbanks because of his influence for good and can ill afford to lose him."

W. G. Van Schmus, managing director, Radio City Music Hall: "Douglas Fairbanks had the unusual charm of a real gentleman, and his memory will always re-echo through the praise of those he left behind."

Kaplan Again Runs For Local 306 Post

Sam Kaplan, former president of Operators Union, Local 306, again seeks an official position in the union in the annual elections Dec. 27.

Together with three others who are campaigning with him, Kaplan seeks a post on the executive board, on which there are 10 vacancies. Including four members of the Kaplan slate, there are 73 candidates for the 10 vacancies.

Joseph D. Basson, incumbent president, is being opposed by Michael Berkovitz for the presidency. Frank Ruddock is being opposed by Morris Kravitz and Nathaniel Doragoff for the vice-presidency.

Instead of two business agents each in Manhattan and Brooklyn, there will be one for each borough. In Manhattan, Charles Kielhurn and W. W. Byrne, incumbents, and Bert Popkin are seeking the post of business agent, and in Brooklyn, those running are Joseph Kelban and Jack Teitler, incumbents, and James Lafante.

Herman Gelber, running for reelection as recording secretary, is opposed by Daniel Finerty and Benjamin Norton. Charles Backman, financial secretary, is unopposed for reelection. For treasurer, Pincus D. Herbst, incumbent, is opposed by James Ambrosio.

Academy Picks 15 Board Members

HOLLYWOOD, Dec. 12.—On a day that its No. 1 member—Douglas Fairbanks, Sr.—died, the Academy of Motion Picture Arts and Sciences today announced the results of an election of 15 new board members who will meet next Tuesday to choose officers.

Those named were Frank Capra, retiring president; Ronald Colman, C. B. DeMille, Howard Estabrook, Clark Gable, Frank Lloyd, Mervyn LeRoy, Robert Riskin, David O. Selznick, Douglas Shearer, James Stewart, Norman Taurog, Walter Wanger, Sam Wood and Darryl F. Zanuck.

Fairbanks was one of the organizers of the Academy and its first president.

Trust Suit Charges Georgia Conspiracy

ATLANTA, Dec. 12.—An anti-trust suit against the eight leading distributors and Roy Martin, circuit operator of Columbus, Ga., was filed in Federal District court here today by W. H. Odom, former Milledgeville, Ga., exhibitor.

Odom, whose action seeks $15,000 damages, charges that the distributors conspired with Martin to deprive the plaintiff's theatre of needed product so that eventually he was forced to sell out to Martin at a loss.

Directors Elected At Dallas Meeting

DALLAS, Texas, Dec. 12.—Robert O'Donnell, Dallas; H. B. Robb, Dallas; F. H. Wolfe, Clarksville, and C. H. Cox, Gilmer, today were elected directors of the Theatre Owners Protective Association.

Speakers were Roy L. Walker, Lampasas, president of the group; Harry Brandt, president of the I.T.O.A. of New York City, and Karl Hoblitzelle, president of Interstate.

Programs Vie For Strongest 'Money Hour'

The Tuesday night period from 8:30-9 is making a bid to become the "big money" hour of radio.

With the Horace Heidt show on NBC-Red for Tums giving $1,000 to the winner of the "Pot of Gold," and a full set of encyclopedias plus $10 in cash going to those who stump the experts of Canada Dry's "Information, Please," on the NBC-Blue, along comes CBS with an announcement that "The Court of Missing Heirs" starts next Tuesday on the same period. Sterling Productions will sponsor the show for Ironized Yeast on 61 stations.

C. W. Farrier, NBC television coordinator, speaks tonight before the American Society of Agricultural Engineers in Washington.

"Betty Moore," a series of talks on interior decoration, starts Saturday, Feb. 24, at 10:30 A.M. over 43 NBC-Red stations under the sponsorship of Benjamin Moore & Co., paint manufacturers.

Dick Mooney has resigned from Earl Ferris' Radio Feature Service to open his own office. He will act as Eastern contact for Edward G. Robinson's "Big Town."

An unusual program to be called "Where Are You From?" starts Thursday, Dec. 21, at 6:45 P.M. over WQXR. Dr. Henry Lee Smith, Columbia University speech expert, will analyze the speech defects of members of the studio audience and determine the locality from which each defect originates.

WOR's annual party for children of its employes will be broadcast Saturday from 10:30 to 10:45 A. M. Bob Emery will act as master of ceremonies.

Nan Elliott has been named manager of the newly opened Chicago office of Columbia Artists in the Wrigley Building. Miss Elliott formerly was with the William Morris agency in Chicago and with KHJ, Los Angeles.

2,000 Nuns to View 'Chips' on Dec. 27

Loew's will screen "Goodbye, Mr. Chips" for 2,000 Catholic nuns at the Ziegfield Theatre the morning of Dec. 27. The sisters are teachers in the city's parochial schools.

The circuit holds such screenings on selected pictures several times during the year as part of its school cooperation work, which is in charge of Peter McCarty of Oscar A. Doob's staff.

Columbia Producing 'The Woman Doctor'

HOLLYWOOD, Dec. 12.—Columbia will produce "The First Woman Doctor," starring Irene Dunne. The story is based on the life of Elizabeth Blackwell, an English girl who was the first of her sex to obtain a medical degree and doctor's license. Negotiations are under way for Lloyd C. Douglas to do the story and screenplay. Everett Riskin will produce.

Hit Canadian Plea On Music Fee Rise

TORONTO, Dec. 12.—The Canadian Performing Right Society, Ltd., Toronto, ran into opposition when it presented its application to the Copyright Appeal Board of the Canadian Government for permission to raise its schedule of fees for 1940 for the use of musical works under its control, this procedure being required under the amended Copyright Act of Canada.

The society moved to increase its annual fee for the broadcasting of musical compositions from eight cents to 14 cents for each privately owned radio receiving set licensed by the Government, a fee rejected by the appeal board as excessive last year.

Objections were raised by Brooke Claxton, representing the Canadian Broadcasting Corp., and Samuel Rogers for the Canadian Association of Broadcasters, representing the independent stations of the Dominion. Col. O. M. Biggar of Toronto, lawyer for the society, argued that Canada was the only country in the world in which composers were underpaid. The board reserved judgment.

Des Moines Club Plans Needy Show

DES MOINES, Dec. 12.—The local Variety Club will hold its fourth annual party for Des Moines shut-ins at the Paramount on Saturday. Invitations have been sent to 1,700 persons who are physically unable to attend theatres and to the needy.

Arthur G. Stolte, Tri-States Theatres Des Moines district manager, is chairman of the committee on arrangements; Nate Sanders, finance; Lou Levy and L. M. McKechneay, transportation, and Harry Gottlieb and Charles Friedman, gifts.

MPPDA Directors' Meeting Postponed

Quarterly meeting of the M.P.P.-D.A. board of directors, scheduled today, has been postponed to Dec. 20 because of the absence from New York of many of the directors.

Among those now on the Coast are Nicholas M. Schenck, Sidney R. Kent, Murray Silverstone, Harry M. Warner and Jack Cohn.

Orders WQXR Election

WASHINGTON, Dec. 12.—A secret election, to be held within 30 days, among the operators, engineers, and technicians of WQXR, New York, to determine whether they desire to be represented by the Radio Broadcast Technicians and Engineers Union, A.F. of L., or the American Communications Association, C.I.O., or by neither, has been ordered by the National Labor Relations Board.

'Of Mice' Premiere

World premiere of "Of Mice and Men" will take place at the Four Star Theatre in Los Angeles on Dec. 22. The film, based on the best-selling novel and the prize-winning play by John Steinbeck, was made under the guidance of Lewis Milestone, who was producer-director. The production is presented by Hal Roach and is released by United Artists.

Newsreel Parade

Again highlighting the newsreels is the war involving England, France, Germany, Russia and Finland.

MOVIETONE NEWS, No. 27—Nazi planes brought down in France. French secret service in operation. French capital normal despite war. Batista seeks presidency of Cuba. Egyptian Parliament in session. Jap emperor at army maneuvers. U. S. pilots take post-graduate course. Lew Lehr. Giants vs. Packers and Tennessee vs. Auburn football games. Sail boating in Australia.

NEWS OF THE DAY, No. 225—German planes downed in France. England speeds production of torpedoes. Survivors of mined ship arrive in England. Chalk cliffs in Dover collapse. Dewey opens presidential campaign. School for expectant fathers. Football: Southern California vs. U. C. L. A., Tennessee vs. Auburn, Giants vs. Packers.

PARAMOUNT NEWS, No. 30.—Finnish Relief Fund in New York. Hoover launches drive to aid war-stricken country. Finns in New York sail for homeland. French secret service examines German prisoners. British factory rushes supply of torpedoes. French soldiers drink hot wine on train. Christmas shoppers grow weary. Christmas celebration in Florida. Football: Southern California vs. U. C. L. A., Packers vs. Giants, Auburn vs. Tennessee.

RKO PATHE NEWS, No. 42—Hoover leads drive to aid Finns. Finns in New York sail for homeland. Batista announces candidacy for Cuban president. National Association of Manufacturers convenes. War hero decorated in France. French secret service examines prisoners. Crown Prince Michael joins Rumanian senate. Packers vs. Giants football game.

UNIVERSAL NEWSREEL, No. 831—France: Youth decorated for bravery; troops receive refreshments near front; secret police question Nazi prisoners; German planes downed. Heavy snows in Finland. Volunteers sail to aid Finland. Congressmen inspect army bases. Largest pearl on exhibition. Select 1940 baby. Fashions in Winter sports. Packers vs. Giants, Auburn vs. Tennessee football games.

Personnel Chosen By Fourth Network

Appointment of James W. Baldwin, formerly managing director of the National Association of Broadcasters, and more recently associated with WGH, Newport News, as director of station relations for Transcontinental Broadcatsing System was disclosed yesterday by Elliott Roosevelt, president, and John T. Adams, chairman of the board.

Other personnel additions include Robert C. Wilson, Jr. and Ralph Nordberg, time salesmen; Mary L. Lamme, secretary to Adams; Patricia Lonergan, secretary to George Podeyn, general manager; A. F. Adams, comptroller; Dorothea Henninger, purchasing agent; Charlotte Grasso, secretary to Roy H. Holmes, traffic manager; Adele Purcell, publicity assistant.

Wolf Heads Variety Club at Indianapolis

INDIANAPOLIS, Dec. 12.—Tent No. 10 of the Variety Club has elected Marc J. Wolf of Theatrical Managers, Inc., as chief barker. Carl Niesse of the Olson circuit was named assistant chief barker; Curtis Butler of Columbia, dough guy, and Joe Neger of 20th-Fox, property master.

New directors are Harold H. Marshall of M-G-M, Irving Fendrick, restaurateur; J. H. Stevens of Paramount, Joe Smith of Affiliated Theatres, Arthur Landes, costumer, and Larry Shubnell of Columbia.

Promotions Made By Griffith Circuit

OKLAHOMA CITY, Dec. 12.—Fred Jackson, city manager at Norman, Okla., for the Griffith Amusement Company has been promoted to division manager in charge of Griffith theaters in southern Oklahoma and northern Texas, according to C. B. Akers, executives of the Griffith circuit. Jackson will remain in charge of Norman theaters and will continue to live in that city.

Claude F. Motley, division manager, who has traveled out of the home office in Oklahoma City covering the western half of Oklahoma and Texas will henceforth live in Lubbock, Tex., where he will make his headquarters. Claude Fulgham, division manager for northern and eastern Oklahoma, will continue to travel that territory and will have his headquarters in Oklahoma City.

Gayle Varnell, city manager at Drumright, Okla., has been transferred to Cleburne, Texas, in charge of Griffith Theaters there effective, Dec. 17. Taylor Joryce, Hugo, Okla., manager, has been moved to Drumright, succeeding Varnell, already effective. Dwight Seymour, who has been general manager of theaters in Kermit, Texas, will take charge of Hugo, Okla., theaters this month.

Bribe Offer Checks Third Trial of Nick

ST. LOUIS, Mo., Dec. 12.—The third attempt to try John P. Nick, deposed boss of the Motion Picture Machine Operators Union, on a charge of extorting $10,000 from movie theatre owners, failed today when a venireman informed the court he had been offered money to "go easy on Nick."

The trial started yesterday, but questioning of the panel of 40 veniremen had barely begun, when Judge Robert Aronson suddenly called a halt and vanished into his chambers with attorneys for both sides.

It was developed today that George H. Weber, a venireman, voluntarily told the Judge a stranger had approached him Sunday night and told him, "It's worth $50 to $100 and maybe more to go easy on Nick if you are called on the jury."

Judge Aronson today discharged the panel of 40 veniremen and reset the trial for Jan. 8. Two previous hearings ended in mistrials.

Air Critics' Awards

The New York Film Critics' Awards for 1939 will be presented formally over the NBC-Blue network on Sunday, Jan. 7, from 6:30 to 7 P.M. Both presentations and speeches of acceptance will be carried. A station in either London or Paris also will air the speeches. Awards will be given for the best film, the best actor and actress performances, best foreign film and the best direction.

$60,000 WJAX Profit

JACKSONVILLE, Fla., Dec. 12.—Net earnings for WJAX, municipal station here, will be about $60,000, T. C. Imeson, city commissioner in charge, declared. Improvements and modernization are planned for the station next year. Approximately $10,000 will be used for this purpose.

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 116 NEW YORK, U. S. A., THURSDAY, DECEMBER 14, 1939 TEN CENTS

Compromise Hope for Date Of Trust Trial

Knox May Settle Dispute After Hearing Today

Advance indications are that company attorneys and Department of Justice representatives will be unable to agree on a date for the start of trial of the Government's New York anti-trust suit at a conference of the two groups today.

In that case, designation of a trial date will be left to the discretion of Federal Judge Knox, to whom the conferees will report tomorrow.

The Government attorneys have indicated that they will ask for a February trial date at today's meeting, and have even intimated that they would be willing to begin the trial at that time even though the defendants have not completed their answers to the Government's interrogatories by then.

Defendants have estimated that it may take until March 1 to complete their answers to the Government's interrogatories.

Company counsel have suggested a date in April or May for start of the trial. It is doubtful whether a compromise on a March date would be acceptable to them, but this undoubtedly will be attempted at today's conference.

Paul Williams, special assistant to the U. S. Attorney General, and his

(*Continued on page 7*)

Arizona Governor Chides La Guardia

HOLLYWOOD, Dec. 13.—Two-fisted Governor Jones of Arizona today chided Mayor LaGuardia of New York City for his efforts to bring production to Gotham. Governor Jones said:

"LaGuardia, who spent his boyhood in Prescott, apparently has forgotten what he should have remembered regarding the climatic and scenic characteristics of Phoenix because, if his memory hasn't failed him completely, he must have been kidding when he was recommending New York and its facilities for film production.

"We think the Mayor has bitten off a chew that even he cannot digest. During the current year and in 1940, at least $10,000,000 will be expended by the motion picture industry in this state.

"Among those who have adopted

(*Continued on page 7*)

Last Rites Friday For Fairbanks, Sr.

Hollywood, Dec. 13.—Funeral services for Douglas Fairbanks, Sr., 56, veteran actor-producer who died in his sleep early Tuesday, will be held at 2:30 p. m. Friday at Wee Kirk of Heather, Forest Memorial Park. Only relatives and close friends will be permitted to attend. Interment will be in a vault there pending the selection of the final resting place.

Coast Police Balk Re-Arrest of Bioff

LOS ANGELES, Dec. 13. — "Bioff, Bioff, who wants Bioff?" became a game today among Los Angeles officials.

States Attorney William Courtney of Chicago early today wired Los Angeles police to re-arrest William Bioff, I.A.T.S.E. leader, and hold him in custody pending action for his extradition by Illinois authorities. Local police officers declared they wouldn't arrest the labor chieftain unless the District Attorney's office here issued a fugitive complaint.

Bioff was released from custody on a similar warrant yesterday because Chicago authorities did not press extradition action. But District Attorney Fitts' office attaches said no complaint would be issued unless Los Angeles police requested it.

There the matter stood late tonight with Bioff still declaring that bringing up of a 17-year-old charge in Chicago is an effort to embarrass him.

$200,000 Christmas 'Gift' by Producers To 4,000 Union Men

HOLLYWOOD, Dec. 13.—The 10 per cent wage increase granted Dec. 5 to three Internationals in the studio basis agreement will cost producers approximately $200,000 before Christmas in back pay, it was disclosed today for the first time.

The pay raise was made retroactive to Aug. 25, date of a meeting at which the Carpenters International obtained a 10 per cent raise for its Hollywood local to be effective Sept. 1. The Carpenters, Teamsters and Electrical Workers International obtained a 10 per cent hike Dec. 5 at an Atlantic City meeting with company heads.

In a bulletin authorized to be sent to major and independent studio managers by Pat Casey, producer labor contact officer, Casey announced the retroactive feature of wage increase.

"It was agreed, and you are herewith authorized, to put the 10 per cent increase into effect immediately and to make retroactive payment due from Aug. 25 as quickly as is practical. It is hoped that it will be available before Christmas," the bulletin concluded.

With Studio Carpenters, Local 946, numbering 2,800 studio electricians; Local 40, numbering 630, and Studio Transportation Drivers, Local 399, numbering 927, a total of 4,357 employees will be affected by the increase. Computed on the basis of an average salary of $30 weekly, the men will get $3 each week for the 15-

(*Continued on page 8*)

Press Acclaims 'Wind'

Press association writers who attended the Hollywood preview of "Gone With the Wind" Tuesday were unanimous in their praise of the picture.

Several New York dailies give front page prominence to reports on "Gone With the Wind." Following are excerpts from stories appearing in the New York papers:

Herald-Tribune: "For nearly four hours—the longest screening in history—the critical audience sat and laughed, wept and clenched its collective hands in anger while a cast of superb actors gave superb performances. Vivien Leigh and Clark Gable . . . excellent. The closest one came to stealing the show from the fiery Scarlett was Hattie McDaniel, the buxom Negro mammy. Only drawback to the picture is its length. Most of the audience was distinctly groggy when it was over, but even that seems unimportant when entertainment is as splendid as this."

Journal and American: "'Gone With the Wind' finest motion picture ever made . . . Director Fleming has made film history . . . Margaret Mitchell's story has been brought to the screen intact, with all its undying charm, romance, terror and courage of the South . . . Vivien Leigh and Clark Gable superb. Their performances almost overshadowed by Hattie McDaniel."

Sun: "It is an out-of-the-ordinary picture. It retains the spirit and feeling of the book . . . Vivien Leigh and Clark Gable . . . logical choices for

(*Continued on page 7*)

Allied Boosts Conciliation, Code for N.Y.

Distributors Cooperate; Cohen Re-Elected

BUFFALO, Dec. 13.—Distributors have virtually all agreed to cooperate with Allied Theatre Owners of New York in establishing conciliation boards in New York City, Albany and Buffalo to adjust industry disputes, Max A. Cohen, president, told a membership meeting at the Statler Hotel here today.



Max A. Cohen

Cohen said the conciliation machinery will form part of a trade practice code for New York State in which clarified sales policies will be agreed upon, together with a graduated cancellation clause of 10, 15 and 20 per cent.

The conciliation machinery is to be

(*Continued on page 2*)

Favor Home Office Shift to West Coast

Mayor LaGuardia's campaign to induce the film industry to change location showed its first official indication yesterday of winning serious consideration from important film companies.

Executives of two large companies told MOTION PICTURE DAILY that they agreed with the Mayor that it was not an ideal situation to have administrative offices located on one Coast and production on the other Coast. Therefore, they are giving serious thought to moving their executive offices to Hollywood.

Supporting this idea, one executive pointed out that if any change was to be made, it would be completely illogical to abandon millions of dollars of West Coast properties and invest new millions in Eastern production facilities when executive offices could be moved merely by termination or settlement of leases, with an immediate saving of thousands of dollars to be realized from the consolidation of executive with production headquarters.

Conciliation Boards Loom for New York

(Continued from page 1)

worked out at a meeting with the distributors in New York soon. Cohen said agreement to the plan has been given by Paramount, Warners, M-G-M, Columbia, United Artists, Universal, Monogram and Republic. RKO and 20th Century-Fox, he said, have also indicated they will join.

The members voted 14 to 4 against the Neely bill, after a forum during which Cohen opposed the measure and declared the time had come to take a definite stand on it.

Cohen was reelected president; Joseph Rosenzweig, treasurer; Thomas Di Lorenzo, assistant treasurer, and Abe Levy, secretary. Ray Pashley was elected vice-president.

Regional vice-presidents elected include Irving Sherman, Pear River, for the New York City region, William Tishkoff, Rochester; Rapley P. Merriman, Syracuse; Herman Lorenz, Buffalo, and Mitchell Conery, Albany. New directors are: Minna Rosen, Max Fogel, John Gardner, Sidney L. Grossman, Frank Allen, Abe Stone, B. N. Pearlman, Joseph G. Abramson and Walter Neathold.

Off for Atlanta

William F. Rodgers, M-G-M general sales manager, with T. J. Connors and Edward Saunders, division managers, left last night for Atlanta to attend the world premiere tomorrow night of "Gone With the Wind."

Montague to Coast

Abe Montague, Columbia general sales manager, left for the Coast by train last night. He will be away about 10 days for studio conferences.



PROUD WORDS:

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Defied Hitler

Warners' "Confessions of a Nazi Spy," now being played throughout the British Isles, is being advertised as the "picture which Hitler couldn't stop."

The advertising, clippings of which were received at the home office, also says that "everything the censors took out has been restored" in the picture.

The current showings are the first since the 10-week run of the picture at the Warner in London, starting last June.

Guild Council Fights Both AFL and CIO

HOLLYWOOD, Dec. 13.—Representatives of Screen Writers, Publicists, Readers and Office Employes guilds, Screen Set Designers and Society of Motion Picture Interior Decorators last night formed a Hollywood Guild Council to fight encroachment upon unaffiliated groups by the I.A.T.S.E., A.F. of L. or C.I.O.

Chairman Schary of the Writers Guild appointed a committee to develop a definite program, to be reported to a meeting next Tuesday.

Republic Reduces Western Pictures

HOLLYWOOD, Dec. 13.—Republic will reduce the number of three current series of Western pictures from eight each to six each, and introduce a new Western group with a new player yet to be named. Candidates are now being interviewed at the studio. Roy Rogers, Gene Autry and the Three Mesquiteer groups will be reduced to six apiece for the new season.

Metro, Marx Bros. Parting Reported

HOLLYWOOD, Dec. 13.—Indications today were that M-G-M and the Marx Brothers are coming to a parting of the ways with the studio shelving "Go West," which had been proposed as their next vehicle. The legal department is reported drawing up papers for dissolution of the deal.

Suffers Poisoning

Walter Hicks, sound technician at the Movietone studio, suffered an attack of ptomaine poisoning and collapsed at Pennsylvania Station yesterday morning. He was taken home last night.

Purely Personal

LEO SPITZ left yesterday for Chicago.

•

WILLIAM A. SCULLY, DAVE LEVY, BARNEY BALABAN, JOHN HICKS, LEO SPITZ, SIDNEY PHILLIPS, ED SAUNDERS, TED O'SHEA and TOM CONNORS at Nick's Hunting Room in the Astor for lunch yesterday.

•

LEONARD GOLDENSON, ROBERT WEITMAN, ARTHUR MAYER, AL LEWIS, MOSS HART and LEE SHUBERT lunching at SARDI'S yesterday.

•

JAMES COSTON, Chicago zone manager for Warner Theatres, left New York by train last night after a brief visit here.

•

JOHN A. SCHWALM, manager of the Rialto, a Northio unit at Hamilton, O., is moving his family into a new suburban home recently purchased.

•

JOHN G. WALSH, Albany exploiteer for M-G-M, and PAUL CRANE of the foreign department observe birthdays today.

•

MAX MARGOLIS, Cincinnati Republic manager, has left for Miami Beach to spend a month.

•

TONY SALTERALLI of Spectrum Pictures, and his wife are back after a two-week vacation in Miami.

•

CHARLES LAUGHTON and ELSA LANCHESTER leave for the Coast over the weekend.

•

WILLIAM C. GEHRING, 20th Century-Fox central division manager, is in Detroit.

•

ARTHUR ALEXANDER, producer, is in town from Hollywood.

•

JESSE L. LASKY will leave for the Coast by plane tomorrow.

•

SIR CEDRIC HARDWICKE, actor, is here on vacation.

Cincinnati Sale Heavy

CINCINNATI, Dec. 13.—Reserved seats for "Gone With the Wind" which opens at the RKO Capitol Dec. 21 went on sale today. The demand was very heavy. New Year's Eve reservations for all $1.10 and $1.50 seats also are selling heavily.

$100 Weekly Urged As Television Wage

A minimum of $100 a week for performers in the television field is expected to be set within the next month by the joint television committee of Actors Equity, Screen Actors Guild and American Federation of Radio Artists, union sources indicated yesterday.

The unusually high figure is based on the fact that television performers rarely appear more than once before the iconoscope. Although there is a possibility that regular stock company actors may be employed in the future, the unions believe that the present situation is such as to require substantial payment for the infrequent appearances.

Present scales range between $25 and $50 weekly, although the maximum is occasionally raised to $75.

Mark Wood, NBC vice-president and treasurer, appeared before the committee yesterday to ask consideration for the new art. According to union sources, Wood declared that there were only 630 sets in the metropolitan area and that it would be a long time before television was able to pay wages higher than those paid at present.

New York Bookers Will Organize Club

Exchange and circuit bookers in the Metropolitan area are forming a fraternal organization similar to bookers clubs in Cincinnati, Chicago and other exchange centers.

An informal meeting of 23 bookers was held at the Hotel Lincoln Tuesday night. Another meeting will be held at the Lincoln on Dec. 18. Sam Phillips of Universal is acting chairman.

Imperial Pictures Sued

Imperial Pictures, Inc., was named defendant yesterday in a suit filed in N. Y. Supreme Court by Edwin J. Smith, its former vice-president, for $8,457. Smith claims that the sum is due to him for unpaid salary.

Associates to Nominate

Nomination of officers for the ensuing year will take place at a meeting of the Motion Picture Associates at the Hotel Abbey, 51st St. and Seventh Ave., Saturday at 1 P. M. Jack Ellis is the incumbent president.



Christmas is laughing time!

"JUDGE HARDY AND SON"

from M-G-M

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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GENTLEMEN, BE SEATED!

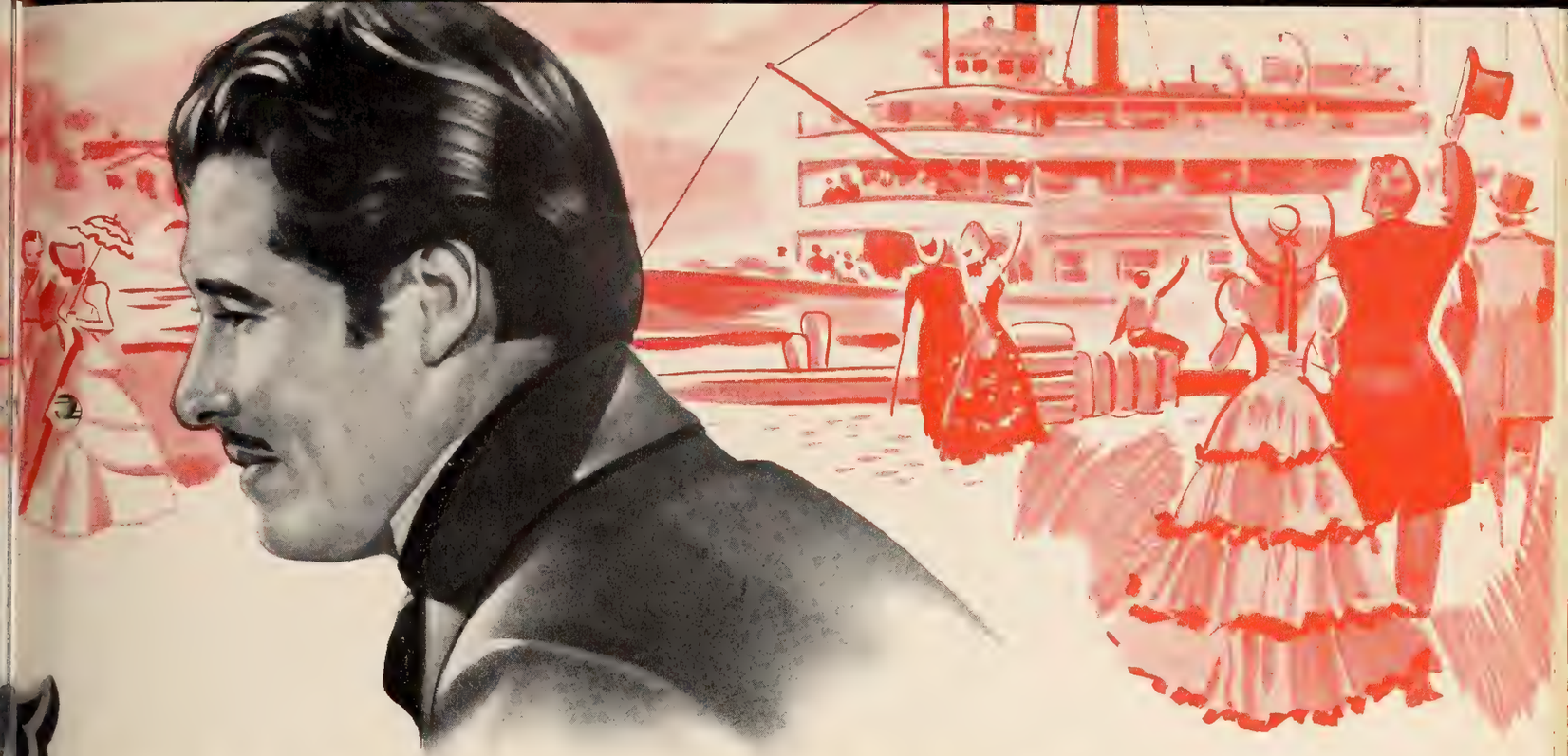


The stage is set for the greatest New Year's attraction in the history of show business!

THRILLINGLY ON THE SCREEN in TECHNICOLOR!

Those colorful, romantic days of minstrels and river boats...when a stormy love wrote the songs America has taken to its heart forever!





SWANEE RIVER

The story of Stephen C. Foster—the Great American Troubadour

with **DON AMECHE · ANDREA LEEDS · AL JOLSON**

FELIX BRESSART • CHICK CHANDLER • RUSSELL HICKS • GEORGE REED *and* HALL JOHNSON CHOIR

Directed by SIDNEY LANFIELD

Associate Producer Kenneth Macgowan. Screen Play by John Taintor Foote and Philip Dunne. Dances staged by Nicholas Castle and Geneva Sawyer

DARRYL F. ZANUCK

SOIREE POLKA

BEAUTIFUL DREAMER

CAMPTOWN RACE

Motion Picture Daily keynotes the opinion of the whole industry:

"'SWANEE RIVER' ANOTHER 'ALEXANDER'S RAGTIME BAND' ONLY BETTER!"

So date it in for New Year's *now*...and give your public ample time to plan their New Year's at *your* theatre!



20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Compromise Hope for Date Of Trust Trial

(*Continued from page* 1)

aide, William Farnsworth, will meet with the defendants' attorneys today. The Government has estimated that it will answer United Artists' interrogatories by Feb. 1. It has not yet committed itself on furnishing answers to the interrogatories filed subsequently by Columbia, RKO, Paramount and Warners.

Paramount and Warners yesterday served detailed interrogatories on the Government in connection with the anti-trust suit against the major companies.

Loew's and probably 20th Century-Fox will serve similar interrogatories today. Universal will serve interrogatories at a later date. United Artists, RKO and Columbia have already served separate queries on the Government.

As in the case of the interrogatories filed earlier, Paramount and Warners also ask the Government to disclose the identity of witnesses and those who have knowledge of any specific infractions of the anti-trust laws alleged against the companies by the Government.

General nature of the interrogatories is similar to that of the RKO and Columbia queries. Warners appends to each question a request for copies or identification of every chart, compilation, tabulation or other document which the Government may have compiled or may have available which contains information relative to the question asked.

Both interrogatories include a request that wherever the Government is lacking the information sought in the queries, such information be supplied to the companies within 30 days after it comes into the Government's possession, if it does.

'Wind' Gets Wide Acclaim by Press

(*Continued from page* 1)

the leading roles . . . Critics, on the whole, were enthusiastic."

Ed Sullivan in *The Daily News*: "Vivien Leigh's performance a standout . . . To construct a motion picture that runs for four hours without ever losing the attention of the audience is a remarkable feat . . . Olivia de Havilland in brilliant performance. Commercially, the picture should take in all of the money that is available . . . It is a picture that everyone will want to see."

Arizona Governor Chides La Guardia

(*Continued from page* 1)

Arizona as a second Hollywood are Samuel Goldwyn, who is spending over a $1,000,000 in producing 'The Westerner.'

"Other major producing companies are following Goldwyn in his selection of this state, among them being Warner Bros., M-G-M, 20th Century-Fox and Paramount.

"I suspect Mayor LaGuardia is a bit jealous that the film industry has selected his native state over his adopted city."

Personnel, Theatre Notes

Schines Transfers Two Men

GLOVERSVILLE, N. Y., Dec. 13.—Shifts in Schine Circuit personnel send Frank M. Boucher, special home office representative in Upstate New York, to Washington, and bring to the home office from the capital William Kraemer. Boucher is to be booker and divisional manager of the Washington, Maryland and Delaware territory of the circuit, while Kraemer will fill the post of chief Albany area booker and assistant to George V. Lynch, film buyer.

Warner House Organ

PITTSBURGH, Dec. 13.—Warner Bros. are issuing weekly "Warnergram," mimeographed house organ for 71 theatres in Tri-State circuit, which stresses articles on ushers and assistant managers, instead of house chiefs. It is edited by Publicity Director Joe Feldmand and James Totman, assistant.

Plans Stage-Film Policy

PITTSBURGH, Dec. 13.—Harris Senator is considering adoption of a stage and pictures policy beginning Christmas week, following straight film schedule alternating between first runs and reissues since its opening a year ago, excepting several brief stage engagements.

Zenith Takes Theatre

Zenith Pictures Corp., of which Jacob Leff is president, has acquired the Acme, 564-seat theatre at 6714 Myrtle Ave., Brooklyn.

Benetta Operates Stadium

Benetta Amusement Corp. is the new operator of the Stadium, 2176 3rd Ave. Henry Rosenberg is head of Benetta.

Marke Forms Agency

PITTSBURGH, Dec. 13.—Sid Marke, one-time associate of Moe Glanz in the booking business and the uncle of S. Sylvan Simon, former Pittsburgher now a director with Metro-Goldwyn-Mayer, has formed his own agency as the Marke Theatrical Exchange.

Back Broadcast Music

DENVER, Dec. 13.—With 28 delegates representing 23 stations in the 14th district, comprising Colorado, Idaho, Wyoming, Utah and Montana, at a conference here, 21 of the stations voted to support Broadcast Music, Inc., and to subscribe for stock.

Jowski Quits CBS

Jan Droho Jowski, member of the foreign language short-wave department of the CBS, has resigned to become third ranking officer in the Polish embassy at Washington. While with CBS, Jowski covered the Polish-German invasion.

Film Cutters Meet

A second organizational meeting of film cutters, assistant cutters and librarians employed in Eastern laboratories and newsreels has been called by Laboratory Technicians Union, Local 702, for tomorrow night at Hotel Piccadilly.

Merchant Shows

Milwaukee, Dec. 13.—Although local exhibitors have taken a stand against merchants' free shows and have indicated that they will have no more of them, the shows continue in various sections of the state.

In Fond du Lac, for example, the Fox house admits adults or children free to Saturday morning shows with 10 bottle caps, and in Marinette, the Fox offers free prizes to youngsters bringing the most food labels at special Saturday morning shows.

Ned Depinet Drive Opens January 27

RKO'S annual billing drive this year will be known as the Ned Depinet Drive and will run from Jan. 27 to May 10.

Herb MacIntyre, northeastern district manager, has been named drive captain, succeeding Walter Branson. MacIntyre and Harry Gittleson, editor of *Flash*, company house organ, will tour the exchanges after Jan. 1.

Cash prizes, as usual, will be awarded to drive winners. The drive period will include such pictures as "The Hunchback of Notre Dame," "Abe Lincoln in Illinois," "Pinocchio," "Swiss Family Robinson" and "Primrose Path."

Neely Bill Debate At Ampa Today

How the Neely bill, if passed, would affect "every individual" in the industry will be explained at the Ampa luncheon meeting today at Stouffer's restaurant.

Speakers will be C. C. Pettijohn, Hays office general counsel; David Palfreyman, in charge of exhibitor contacts for the Hays office, and Leo Brecher, New York exhibitor, who testified against the bill before the Senate interstate commerce committee last year.

Referee Wins Award

Referee John E. Joyce was awarded $5,000 yesterday by Federal Judge Coxe as final compensation for services rendered in reviewing claims filed against Paramount Publix during reorganization proceedings.

WMCA Forum Saturday

Mayor LaGuardia, Senator Robert Wagner and Lieut. Gov. Poletti will participate in the first of a series of weekly Forum broadcasts to be heard between 8:30 and 9 p.m. Saturday over WMCA. The forum will be devoted exclusively to municipal problems.

Para. Signs Rathbone

HOLLYWOOD, Dec. 13.—Paramount has signed Basil Rathbone to a three-picture deal. The first film will be "Destiny," Charles MacArthur-Ben Hecht original, to be produced by George Arthur.

Signs Elsa Maxwell

HOLLYWOOD, Dec. 13.—Warners today signed Elsa Maxwell to do a series of shorts titled "How To Get Fun Out of Life." First will be "Fun Without Money."

Tips on Exploitation

Musical Clubs See 'Intermezzo' Preview

ALBANY, Dec. 13.—Andrew Roy, manager of the Strand here, arranged a preview of "Intermezzo," with invitations going out to musical and service clubs throughout the city.

Lobby Quiz Is Used To Plug 'That's Right'

Charles Moss, manager of Loew's Criterion here, uses a lobby quiz to exploit "That's Right, You're Wrong," lobby and theatre-front shoppers quizzed after the manner of Kay Kyser's radio program.

Love Experiences Serve To Sell Film, 'First Love'

CLEVELAND, Dec. 13.—For "First Love" at Warners' Hippodrome, articles recounting first love experiences were sought in a contest conducted by the *Plain Dealer*. Tickets to the picture were among the prizes for the best articles.

'What a Life' Review Contest Staged in Frisco

SAN FRANCISCO, Dec. 13.—All high schools and junior highs of the city were tied in with ballyhoo for "What a Life," at the Warfield. A $10 prize was awarded the student writing the best review of the film. And a free round-trip to Hollywood was given the student sending in the best "Henry Aldridge" skit suggestion.

Broadcast Plugs Avon Show in Utica

UTICA, N. Y., Dec. 13.—New angles have been provided for the amateur talent show recently inaugurated by Warners' Avon, broadcast over WIBX a half-hour Wednesday nights. Manager Arnold Stoltz, as handles the master of ceremonies, has invited candid camera fans to come for the amateur show. Stoltz breaks into the half-hour with a two-minute presentation on the theatre.

Florist, Postal Tieup On 'Ninotchka' by Schine

GLOVERSVILLE, N. Y., Dec. 13.—Lou S. Hart, manager of Schine's Glove, put over a piece of exploitation for "Ninotchka" when he tied up with Postal Telegraph and the town's leading florist for the delivery of 2,000 women "telegrams" and a rose to 2,000 women.

Special Edition Plugs 'Women' in Canada

TORONTO, Dec. 13.—Manager J. W. Nelson of the Capitol, North Bay, used as an exploitation stunt for "The Women" a 16-page special edition of the North Bay *Nugget* as a Christmas shopping guide in which every merchant made some mention of the picture.

Refund Offer Aids Kenosha Double Bill

KENOSHA, Wis., Dec. 13.—E. R. Brennan, manager of Standard Theatres' Kenosha here, in plugging the twin bill, "The Amazing Mr. Williams" and "Nurse Edith Cavell," announced, "We will refund if you don't agree this is one of the best double features you have ever seen."

Chicago Notes

CHICAGO, Dec. 13.—The Employes Club of the 20th Century-Fox exchange here will hold its annual Christmas party at the Congress Hotel on Dec. 21.

Copies of the brief filed for Paramount, B. & K. and Barney Balaban are in great demand here. Unlike most legal documents this one reads like a piece of fiction and gives a viewpoint on the local film business that has many film men interested.

Herb Elisburg has been named supervisor of the newly-formed Amusement Club of Chicago which replaces the old Chicago Amusement Publicists Association (CAPA). Sam Schoenstadt, has been named business manager; Sidney Stern, assistant business manager; Henry Markbreit, director, and Irving Mack, cashier.

The Chicago Community Fund has received $20,000 so far from the amusement division, Chairman Jack Kirsch announces. The quota for the division is $26,000.

K. C. Bowling Dec. 16

KANSAS CITY, Dec. 13.—The annual bowling tournament which is conducted each December by Variety Club and the Kansas City *Star* for the benefit of a milk fund for needy children, will be held this year on Dec. 16 and 17, at Pla-Mor and at Grindel-Lembke. George Baker, head of Variety here, is general chairman for the film interests; Ernie Mehl handles for the *Star*.

$200,000 Christmas 'Gift' for Union Men

(*Continued from page* 1)

week period, or a total of $45 per man, in back pay. The total amount comes to approximately $196,065 in back pay for the 15-week period.

The estimated $30 weekly pay per man is an arbitrary one. No accurate estimate is possible due to working conditions, overtime and lack of figures available. Pay scales range from $1.16 hourly for drivers and horse wranglers to $2 to sound maintenance men under the new increases.

'Time' Now Filming Canada's War Role

March of Time is planning a new reel, not to be released before March, on Canada's part in the war. A camera crew is now photographing material in Canada. The Canadian Film Board, recently organized, is cooperating in the preparation of material.

Talley Sails Today For Survey Abroad

Truman H. Talley, general manager of Movietone News, sails today on the *Rex* for a survey of European coverage. He will confer with staff representatives and officials in England, France and neutral countries. He expects to be gone a month.

Bonney Powell, Movietone cameraman, sails with Talley and will augment the coverage of hostilities. Both will take along gas masks.

"I'll add criminal libel to what I've already got on you and I'll make it stick tight enough to keep you in the State pen for the rest of your life."



"MAIN STREET LAWYER"

with

EDWARD ELLIS • ANITA LOUISE

HAROLD HUBER • ROBERT BALDWIN • BEVERLY ROBERTS

A Republic Picture

Far North Service

Toronto, Dec. 13.—CBC is resuming its weekly Northern Messenger Service with personal broadcasts to inhabitants of the Arctic Regions commencing Friday night, at 11:30. The radio programs will consist of family messages to Far Northerners and a resume of the week's news. The most northern receiving set is at Craig Harbour, a Canadian post office within 15 degrees of the North Pole. The service will continue throughout the Winter.

SEC Intervening In Toledo Action

WASHINGTON, Dec. 13.—The Securities and Exchange Commission has become a party to the reorganization of a number of corporations, including the Toledo Theatres and Realty Co.

The Commission explained that it filed a notice of its appearance in the proceedings for the reorganization Sept. 15, last, at the request of Judge Kloeb of the U. S. District Court of Ohio.

The company, incorporated under Ohio law, is engaged in the business of leasing and operating a number of buildings, including theatres, in Toledo. Its indebtedness is listed at approximately $1,156,000, and proceedings for reorganization under the Bankruptcy Act were instituted by the filing of a creditors' petition on June 21, 1939.

Grierson May Quit Canadian Film Post

TORONTO, Dec. 13.—According to well-informed sources in Ottawa, the appointment of John Grierson of London as Dominion Film Commissioner under the recently-created National Film Board of Canada, will terminate "in a few months" because of a desire on the part of Grierson to go to Australia to organize production of documentary films.

High Mass on Air

For the first time, the High Mass at St. Patrick's Cathedral will be broadcast on Christmas Eve. Mutual will carry a Coast-to-Coast broadcast of the service, beginning at midnight. Archbishop Francis J. Spellman will officiate.

Buys Daily and WSB

DAYTON, Dec. 13.—James M. Cox, associate publisher of the Dayton *Daily News* which operates WHIO here, has purchased the Atlanta *Journal*, together with its radio properties, WSB, a 50,000-watt station, and WEGG, a portable unit. The F.C.C. approved the sale.

Plan Charlotte Film

CHARLOTTE, N. C., Dec. 13.—T. J. Carroll of National Film Productions, Inc., of Akron, O., is planning to make a feature length picture of Charlotte. "Shooting" will start during Christmas week. Carroll said his company will open a plant here to serve Southeastern cities.

Metro Gives Tracy Lead In 'Fleecing'

HOLLYWOOD, Dec. 13.—M-G-M has lined up "The Golden Fleecing," magazine story by LYNN ROOT and FRANK FENTON, as a vehicle for SPENCER TRACY. EDGAR SELWYN will produce the picture, based on the adventures of a young insurance salesman who sells a huge life policy to a person put "on the spot" by gangsters, ROOT and FENTON are writing the screenplay.

PRISCILLA and ROSEMARY LANE draw top roles in "Three Cheers for the Irish," Warners. . . . GERALDINE FITZGERALD has been set for "We Shall Meet Again," Warner picture with MERLE OBERON, GEORGE BRENT, PAT O'BRIEN and BINNIE BARNES in the cast. . . . DALIES FRANTZ, young concert pianist, who appeared in "Sweethearts," and also in the forthcoming "Balalaika," has been given a new term contract at M-G-M.

ROBERT HOPKINS, screen writer long at M-G-M, has been signed by 20th Century-Fox. . . . M-G-M has started to revamp the SPENCER TRACY-HEDY LAMARR vehicle, "I Take This Woman," with W. S. VAN DYKE directing. The picture was shelved several months ago following story difficulties. . . . Paramount has lined up JEAN CAGNEY, RICHARD DENNING, ROBERT PAIGE, J. CARROL NAISH and WILLIAM FRAWLEY for "Golden Gloves," with EDWARD DMYTRYK directing and WILLIAM THOMAS producing.

LESLIE FENTON gets a new directorial contract at M-G-M. . . . Next "Charlie Chan" picture at 20th Century-Fox will be "Charlie Chan's Oriental Cruise." . . . New borrowing deals between 20th Century-Fox and Samuel Goldwyn came to light with the loan of WALTER BRENNAN to the Westwood studio for "Maryland" and of DANA ANDREWS for "The Sweetheart of Turret One."

JOEL MCCREA has been tentatively set for the title role of "Davy Crockett," which Paramount has purchased from CONSTANCE ROURKE. The studio preivously had bought "Sunrise in My Pocket," play by EDWIN JUSTUS MAYER dealing with the life of the famed frontiersman. . . . W. S. VAN DYKE II has become a father again. A son, WINSTON STEWART VAN DYKE, JR., was born to MRS. VAN DYKE at the Santa Monica Hospital.

ROLAND YOUNG has been cast in "Twinkle, Twinkle, Little Star;" LYNN BARI, JOAN DAVIS and ROBERT LOWERY in the second "Hotel for Women" picture, both at 20th Century-Fox. . . . Producer WILLIAM STEPHENS, preparing "The Courageous Dr. Christian" for RKO release, has signed BERNARD HERZBRUN as art director.

The following title changes have been made: Paramount: "Northwest Mounted Police" to "North West Mounted Police;" "St. Martin's Lane" to "The Sidewalks of London," "Gun Chores" to "Showdown," and Warners: "Disraeli" to "The Prime Minister," "Up at the Villa" to "The House on the Hill," "My Son" to "Bad Boy."

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 117 NEW YORK, U. S. A., FRIDAY, DECEMBER 15, 1939 TEN CENTS

Atlanta Fetes Stars, Awaits 'Wind' Tonight

Junior League in Huge Ball for Charity

ATLANTA, Dec. 14.—Thrills and excitement which have gripped this city for months will come to a climax tomorrow night when "Gone With the Wind" has its world premiere.

A large contingent of celebrities arrived today from both Hollywood and New York with thousands of persons crowding the airport to greet them.

Here from Hollywood are David O. Selznick, Mrs. Selznick, Vivien Leigh, Olivia de Havilland, Laurence Olivier, Russell Birdwell, Clark Gable, Carole Lombard, Director Fleming, Howard Strickling and Otto Winkler.

Among New Yorkers here, in addition to M-G-M executives, are Mr. and Mrs. John Hay Whitney, Mr. and Mrs. Herbert Bayard Swope, Max A. Cohen, Lowell Calvert, Frank Altstock, Katharine Brown and Mary Morrissey. William Goetz, 20th Century-Fox production executive, and Mrs. Goetz are also attending.

Local and state dignitaries tonight attended a reception for "Gone With the Wind" stars and others identified with the production. Later in the evening the Junior League held its highly colorful "Gone With the Wind" ball. It was considered the most brilliant social function ever held in the South. Proceeds will be used to finance charities.

15% Wage Increase Granted to Painters

HOLLYWOOD, Dec. 14.—Moving Picture Painters Local 644 has won its demand for a 15 per cent wage increase and its awaiting word from producers as to whether its members will get the new scale retroactively to Aug. 14.

The pay boost is the largest to be granted by producers since 1937 when the painters obtained a similar increase.

Producers have offered to make a five per cent increase retroactive to Aug. 14 and the remaining 10 per cent retroactive to Oct. 20, but Herbert Sorrell, business representative for the Painters, rejected the proposal.

Sorrell conferred today with Y. Frank Freeman, E. J. Mannix and Fred Pelton, who agreed to contact the remaining producers for an answer by tomorrow or Monday.

Roosevelt Becomes Producer, Resigns Post with Goldwyn

HOLLYWOOD, Dec. 14.—James Roosevelt will head his own independent producing unit, which is to be established at once, he admitted today following submission of his resignation as vice-president of Samuel Goldwyn Prod., Inc.

Roosevelt, however, will continue as president of Samuel Goldwyn Studios, Inc., a post to which he was elected on his arrival from New York this week. He will use the Goldwyn studio facilities and will be closely connected with the Goldwyn organization in other ways.

The number of pictures which Roosevelt plans to produce, his associates and his distribution organization were not made public.

On Nov. 24 MOTION PICTURE DAILY reported that Roosevelt was on a leave of absence from the Goldwyn organization preparatory to establishing his own producing unit, reportedly in association with John Ford for 20th Century-Fox release. Roosevelt at the time declined to comment on the report and subsequently denied inquiries based on similar reports.

Pallbearers Picked For Fairbanks Rites

HOLLYWOOD, Dec. 14.—About 200 close friends will attend private funeral services tomorrow afternoon for Douglas Fairbanks, Sr., who died in his sleep Tuesday.

Active pallbearers will be Sid Grauman, Joseph M. Schenck, Tom Geraghty, C. E. Ericksen (Fairbank's

(Continued on page 2)

TRUST TRIAL FIXED FOR 'AFTER MAY 1'

Production in East? No, Says Blumberg

Chicago, Dec. 14.—Nate Blumberg, president of Universal, today said Universal has no plans for making pictures in the East. He added that it was too early to make a statement regarding product for the new season. It is expected that Universal will make the same number of films as this year. Blumberg arrives in New York tomorrow.

Ampa Plans Drive Against Neely Bill

A nationwide campaign to defeat the Neely bill in the next session of Congress will be undertaken by Ampa, it was decided at a membership meeting yesterday.

The decision was reached after talks attacking the measure by C. C. Pettijohn and David Palfreyman of the Hays office and Leo Brecher, New York exhibitor.

Paul Lazarus, Jr., president of the Ampa, will appoint a committee of five who will meet with Pettijohn and others of the Hays office early next week to plan the campaign, which will utilize publicity methods. The

(Continued on page 4)

U. S. Gives Majors More Time to Ready Defense; Knox Acts Today

An agreement to begin the trial of the Government's New York anti-trust suit against the eight leading companies on some date "not earlier than May 1" was reached by counsel for the defendants and representatives of the Department of Justice at a meeting here yesterday.

The agreement is subject to a stipulation which will be presented for approval to Federal Judge Knox at a closed hearing today.

Presumably, Judge Knox will assign trial of the case to another jurist who will be available after May 1, if he approves the stipulation today. The court calendar indicates the availability of a judge for the indicated time.

The agreement on the start of trial indicates a complete victory for the defendants who have repeatedly suggested that date, as opposed to the Government's frequent suggestions recently that a February trial date be set.

The defendants plan to file their answers to the Government's interrogatories by Feb. 1 and the Government has indicated it will have its answers to United Artists' interrogatories ready by the same date.

However, all other major defendants except Universal have since served the Government with additional interrogatories, and whether the Government answers these in whole or in part, it will probably require additional time beyond Feb. 1 to respond to them all.

Loew's, 20th Century-Fox and its

(Continued on page 4)

"Hunchback of Notre Dame"

[*RKO*]

Victor Hugo's immortal classic of the hunchback, that misshapen creature whose hideous exterior hides a lonely soul seeking love and kindness, once again comes to the screen, and must take rank as a crowning cinematic achievement.

It has been drawn on a sweeping canvas, recreating the Paris of the close of the 15th Century, with the technical facility of the screen utilized fully in picturing a superstition-ridden age, its people eager to voice their desire for freedom. Beyond that implied background of striving is the poignant tale of the frightening hunchback and his love for the gypsy girl who was kind to him.

The film is studded with dramatic and thrilling highlights, as the hunchback, the bell ringer of Notre Dame Cathedral, throws himself about on his bell tower scaffold, clings to the bells as they raise their voices, hurls stones, beams and finally drops molten metal upon the

(Continued on page 4)

Actors Guild Quits L.A. Labor Council

HOLLYWOOD, Dec. 14.—The Screen Actors Guild today resigned from the Los Angeles Central Labor Council in protest against the Council's passage of a resolution criticizing Chicago authorities for reopening the 17-year-old conviction of William Bioff, I.A.T.S.E. leader.

Withdrawal of the Guild from the Council immediately rekindled fires of animosity between the I.A.T.S.E. and the S.A.G.

Kenneth Thomson, executive secre-

(Continued on page 4)

Purely Personal

ALEXANDER KORDA sailed for Europe on the *Rex* yesterday en route back to London. He plans to return here in about two months.

•

MRS. FLOSSIS ALBRIZIO, Loew's chief telephone operator, is the mother of a nine-pound girl, born at St. Clare's Hospital the other day. MRS. ALBRIZIO is known as FLOSSIE FLYNN.

•

LOIS ABRAMS, daughter of MORRIS ABRAMS, M-G-M exploiteer in Minneapolis and MRS. ABRAMS, was married last weekend to HAROLD GOLDBERG in Spokane.

•

R. M. COPELAND, Des Moines Paramount manager, and P. W. ROBBINS, salesman, have left with their wives for a holiday motor trip to the Coast.

•

STANLEY HAND, Altec staff representative, has returned to New York after a month's trip through the South and the Middle West.

•

PHIL FOX, Buffalo Columbia manager, has been visiting Schine and Warner circuit offices in Gloversville and Albany.

•

DON AMECHE is flying to the Coast from Cristobal, Panama Canal Zone, where he has been vacationing.

•

DIXON BOARDMAN, a member of the Gaumont British board, arrived from London yesterday by Clipper.

•

I. LEONARD HIRSCH of M-G-M's home office sales department tomorrow observes a birthday.

•

CHARLES COHEN of HOWARD DIETZ's staff yesterday completed 12 years of service with M-G-M.

•

JACK HIVELY, RKO director, is due here from the Coast today for a three-week vacation.

•

PAT CASEY, producers' labor representative, is en route to the Coast by train.

•

ISA MIRANDA, actress, sailed for Milan on the *Rex* yesterday.

•

BEN PIAZZA leaves Sunday on a motor trip to the Coast.

•

MARY PICKFORD is in New York.

Stars-Off-Air Pact Claimed by Brandt

PHILADELPHIA, Dec. 14.—An agreement between producers and theatre exhibitors on the question of radio appearances of pictures stars has been reached, according to Harry Brandt, president of the I.T.O.A. of New York, who spoke before 150 local exhibitors at the Warwick Hotel today.

The pact provides that no new players shall be signed by studios unless a clause in the contract forbids them to make radio appearances. Players who have radio commitments will be forbidden to sign for further engagements, and an effort will be made to get free lance stars to agree to confine their entertaining to the screen.

Brandt asked that two local exhibitors be named on the nationwide committee of 60 to be set up by Brandt to meet periodically with producers on the radio question. Abe Sablosky, operator of the Arcadia and Lewen Pizor, head of the U M P T A agree to serve in this capacity.

When several major executives were asked yesterday in New York whether an agreement to keep film stars off the radio had been reached, they responded: "No."

Silverstone Back East on Monday

HOLLYWOOD, Dec. 14.—Murray Silverstone, president of United Artists, leaves tomorrow after two weeks of discussions with U.A. producers on production for the forthcoming season. Duplication of themes and subjects will be avoided. Silverstone prolonged his visit here in order to attend Douglas Fairbanks' funeral. Silverstone and his wife will arrive in New York on the Super Chief Monday.

STANTON GRIFFIS, I. E. LOPERT, BROCK PEMBERTON, MORT SPRING, ARTHUR KRECKE, ABEN KANDEL, ERWIN GELSEY, JACK KIRKLAND and BARRY TRIVERS lunching at Sardi's yesterday.

•

HERMAN ROBBINS, HARRY GOETZ, JEAN HERSHOLT, JOHN HICKS, MADY CHRISTIANS and OWEN DAVIS at Nick's Hunting Room in the Astor for lunch yesterday.

•

MR. and MRS. WILL H. HAYS were guests last night at the White House at President Roosevelt's diplomatic reception.



Christmas is laughing time!
"JUDGE HARDY AND SON"
from M-G-M

'Stars Look Down'

London, Dec. 14.—"Stars Look Down," was previewed here today by British Grand National with considerable success. A free adaptation of the A. J. Cronin novel, magnificently produced, brilliantly directed and sympathetically acted, it is an epic of British coal miners.

The film recreates with realistic settings the spirit and social background of the workers and the industry. Tragically it traces the destinies of the characters, climaxing with an unusually impressive dramatic disaster sequence.

Warner Pictures Renames Officers

The Warner Brothers Pictures, Inc., Board of Directors yesterday re-elected all officers as follows:

President, Harry M. Warner; Vice-President, Albert Warner; Vice-President, Jack L. Warner; Vice-President, Sam E. Morris; Vice-President, Herman Starr; Vice-President, Stanleigh P. Friedman; Vice-President, Joseph H. Hazen; Treasurer, Albert Warner; Assistant Treasurer, Samuel Carlisle; Assistant Treasurer, W. Stewart McDonald; Assistant Treasurer, Cyril H. Wilder. Secretary and General Counsel, Robert W. Perkins; Assistant Secretary, Harold S. Bareford; Assistant Secretary, Edward K. Hessberg; Assistant Secretary, Roy Obringer; Assistant Secretary, Herbert Freston; Controller, Samuel Carlisle; Auditor, Thomas J. Martin.

Pallbearers Picked For Fairbanks Rites

(*Continued from page* 1)

business manager), Charles Chaplin, and Chuck Lewis (Fairbanks' trainer).

Services will take place in the Wee Kirk of the Heather. The body will lie in a cemetery crypt at the Forest Lawn Memorial Park pending the selection of a permanent resting place.

United Artists' home office and branches throughout the world will close at noon today out of respect for Fairbanks' memory.

RKO Managers Here

Charles Koerner, RKO Theatres' West Coast manager; Nat Holt, Cleveland division manager, and Thomas Gorman, Chicago division manager, conferred here yesterday with J. J. O'Connor and Fred Meyers on divisional operating matters. Koerner left for the Coast last night. Holt and Gorman will return this weekend.

Henry Yusen Dead

Henry Yusen, 52, brother-in-law and associate of William Brandt, and manager of the Bayside Theatre, died yesterday morning at the Beth-Israel hospital. Funeral services will be held at 1:30 p.m. today at the Riverside Memorial Chapel. He is survived by his wife, Gertrude, and two children, Adele and Henry Jr.

'U' Managers Meet Here on Saturday

A meeting of Universal district managers will be held at the home office this weekend with William A. Scully, vice-president and general sales manager, presiding.

Nate J. Blumberg, Universal president, who will arrive from the Coast today, will attend the sessions and inform the district managers of new product, completed or in work at the studio.

Others attending from the home office will be F. J. A. McCarthy, Eastern sales manager; William J. Heineman, Western sales manager; Joseph H. Seidelman, vice-president and foreign sales manager; Leo Abrams, short subjects sales manager, and F. T. Murray, manager of branch operations.

District managers who will attend the Saturday and Sunday sessions are: A. J. O'Keefe, Los Angeles; E. T. Gomersall, Chicago; P. T. Dana, Kansas City; H. D. Graham, Atlanta; Dave Miller, Cleveland, and A. J. Herman, New York.

Broadway Houses Suffer Yule Slump

Broadway grosses slumped this week as the Christmas shopping season reached its peak.

"Everything Happens at Night" opens today at the Roxy, after one week for "Barricade," which drew an estimated $25,000. At the Music Hall, "Balalaika" opened strongly yesterday. "We Are Not Alone," with a stage show, finished its second week there with an estimated $70,000.

"Destry Rides Again" is held for a third week at the Rivoli after taking an estimated $26,000 for the second stanza. "The Private Lives of Elizabeth and Essex," with Al Donahue's band on the stage, is also held for a third week at the Strand. The second week grossed an estimated $29,000. At the Capitol, "Remember" opened yesterday. The second week of "Another Thin Man" took an estimated $21,000. "Gulliver's Travels" is due at the Paramount Wednesday.

Aids Legion Needy

CLAREMORE, Okla., Dec. 14.—The annual fruit and vegetable matinee for the American Legion needy will be held at the Yale theatre Saturday.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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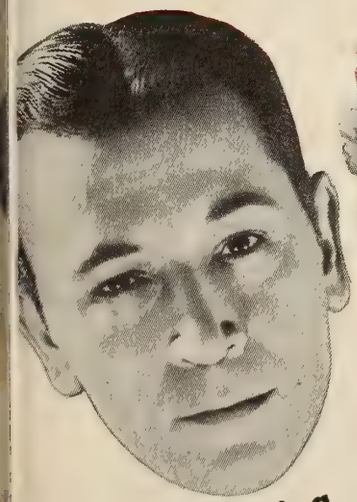
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YOU'LL SEE!

"INVISIBLE STRIPES"

IS A TOP-BRACKET WARNER WALLOP FOR ANY HOUSE, ANYWHERE IN THE LAND!



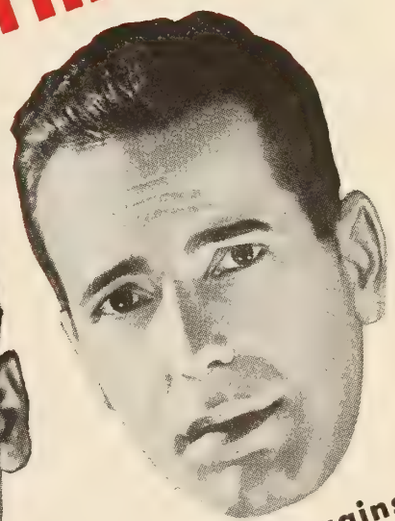
More of the exciting appeal he showed in 'Each Dawn I Die'



The major role critics and patrons agree she has earned beyond doubt!



His first show since 'Golden Boy' made him an important new star!



Picture him against Raft...and you'll know it's his best picture!

GEO. RAFT • JANE BRYAN • WM. HOLDEN

in "INVISIBLE STRIPES" with

HUMPHREY BOGART • FLORA ROBSON

PAUL KELLY • Directed by LLOYD BACON

Screen Play by Warren Duff • From an Original Story by Jonathan Finn

Based on the Book by Lewis E. Lawes • A Warner Bros.—First National Picture

Ampa Plans Drive Against Neely Bill

(*Continued from page* 1)

committee will ask for an appropriation to finance the campaign.

The speakers agreed that a militant fight must be waged to combat the influence of the pressure groups outside the industry who favor the Neely bill. The measure, which has already passed the Senate, is now in the Interstate Commerce Committee of the House and is expected to come to a vote at the next session which convenes in January.

Pettijohn, first speaker at the meeting, which was attended by about 60 persons at Stouffer's restaurant, declared that neither the Neely bill nor any similar legislation would accomplish any constructive purpose, and neither the industry nor the public would benefit. Furthermore, he said, it would create new problems, especially for the small exhibitor, and the cost of production and film rentals would increase.

"There are more than 200 Federal judges and there can be as many different interpretations of this bill," Pettijohn added. "Under the Neely bill, the little fellow would be thrown to the dogs.

"The Neely bill offers 'public interest' as a motive for its attack on the industry. In this case the alleged public interest masquerades under the fancy name of 'community selection.' It might better be called 'local censorship.' It calls for a club on the head of the theatre man, not on the product."

Palfreyman discussed the bill in detail. He stressed the criminal provisions, whereby any employe of a distributor might be prosecuted for a violation by a company. The synopsis clause, he said besides being impossible to carry out, would require a description of the picture to be supplied to the exhibitor even after the film had been in release two years.

"The distributors and large circuits have been indifferent to the Neely bill, not realizing the dangers it contains," said Palfreyman. He urged a campaign by the publicity and advertising men of the business "to wake the industry up."

Breacher, speaking from the exhibitor's viewpoint, maintained that the proposed law would not elevate morals of the screen or improve the public taste. The bill would not touch the off-color pictures which are made by small producers and sold singly, he said, nor would it remedy blind selling. On the whole, Breacher continued, the bill would be a hardship on the exhibitor.

Stanley Co. Shows 1939 Profit Slump

Stanley Company of America, a subsidiary of Warner Bros., reports net operating profit of $1,734,562 for the year ended Aug. 26, 1939. The previous year's net was $2,063,703.

Net income, before other income and charges, was $5,747,951, compared with $6,244,749 the year before. Dividend paid during the year totaled $1,809,693, against $723,877 in 1938. Earned surplus as of Aug. 26 is reported as $4,946,790.

Current assets were listed as $675,170, including cash of $508,743. Total assets were given as $72,988,411.

"Hunchback of Notre Dame"

[*RKO*]

(*Continued from page* 1)

beggar horde seeking to save the girl as the sanctuary of the church is threatened by the nobles who seek to have her hanged.

There is, too, the suspense-laden sequence in which the hunchback swings on a rope from the Cathedral side to snatch the girl from the hangman's noose, carrying her to the safety of his lofty perch beside his beloved bells.

Charles Laughton, as Quasimodo, the bell ringer, once again clearly demonstrates the splendid versatility of his artistry. His makeup as the hideous hunchback is frightening, yet he makes of the frightful creature a human being, a lonely man who seeks kindness and knows the true meaning of gratitude, and to whom the audience is sympathetically drawn.

The supporting players offer admirable assistance, notably Sir Cedric Hardwicke as the notorious Chief Justice, master of Quasimodo, who falls in love with the girl, stabs the soldier he finds with her, then seeks to hang her for witchcraft to salve his own conscience. Maureen O'Hara is beautiful and effective as the gypsy girl who seeks the king's aid for her persecuted people; Thomas Mitchell flawless as the king of the Parisian beggars; Edmond O'Brien excellent as the poet who arouses the people through the new-found printed word, and who loves the girl. Equally brilliant are the performances of Walter Hampden as the Archbishop of Paris and Harry Davenport as the open-minded king.

Under the production guidance of Pandro S. Berman, William Dieterle's direction is masterly in the handling of crowds, the building of suspense and the smooth flow of the story. Sonya Levien prepared the screenplay, with the adaptation by Bruno Frank.

Most certainly this picture is not for young children, by reason of the appearance of the hunchback, the scenes of torture on the rack, the abandon of the Paris beggars, but it is powerful entertainment for their elders, entertainment upon which the showman may justly lavish his best attention, with assurance of real return.

Running time, 117 minutes. "A".*

CHARLES S. AARONSON

*"A" denotes adult classification.

"Balalaika"

(*M-G-M*)

More drama and less musical flavor than contained in the original stage show, is imparted in this film version of "Balalaika." The result is a swiftly moving, melodious dramatic story, paced in admirable fashion by the performances of Nelson Eddy and Ilona Massey, as the Russian Czarist prince, and the beautiful young revolutionary, who fall in love.

Eddy is in splendid voice, and adds to his stature as a screen figure of popular drawing power, while Miss Massey offers an exciting and provocative personality, possessed of a voice of light, fine quality. The music, unusually effective, adds much to the film's entertainment value.

The supporting cast is of uniform excellence, headed by Charlie Ruggles as the prince's servant; Frank Morgan as the impresario of the Imperial Opera; Lionel Atwill as the revolutionary leader, father of Miss Massey; C. Aubrey Smith, Russian general and father of Eddy, and Joyce Compton as Miss Massey's maid.

Produced by Lawrence Weingarten, the film is directed by Reinhold Shunzel, who infuses much of the beauty and sweep of dramatic action into the story. Advantageously the screen version gives "Balalaika" a greater scope than that enjoyed by the stage musical. The screenplay of Leon Gordon, Charles Bennett and Jacques Deval has served to give the story substance and strength.

Eddy, Cossack officer, sees Miss Massey at the famed Balalaika Cafe in St. Petersburg in 1914. She, unknown to him, is a revolutionary, and he, posing as a voice student, conceals his identity from her. They fall in love. He obtains a leading part at the opera for her, and as her happiness is complete, their true identities are revealed.

An attempt is made on the lives of Eddy and his father just as war is declared. They lose sight of one another until, the revolution having forced the former Russian nobility into menial work in Paris, where Eddy sings at the Balalaika Cafe, Miss Massey reappears and the two are reunited.

It is a distinctive and polished item of screen entertainment.

Running time, 102 minutes. "G."* CHARLES S. AARONSON

*"G" denotes general classification.

Trust Trial in N.Y. Slated After May 1

(*Continued from page* 1)

affiliate, National Theatres, served the Government yesterday with interrogatories. They follow basically the line of questioing advanced by the six other defendants in the interrogatories filed earlier. The names and identity of witnesses for the Government are asked, as well as the identification of the theatres injured by the alleged violations of the anti-trust laws.

Time and place of the alleged violations are sought, as is information concerning the manner in which the individual defendants entered into such violations. The Government is asked to disclose charts or tabulations which it may have to depict alleged unlawful results of the acts charged against the defendants and to supply the interrogators with any pertinent information which may come into its possession within 30 days after its replies to the interrogatories have been filed.

Paul Williams, special assistant to the U. S. Attorney General, who conferred with company counsel yesterday, indicated that the Government, before replying to the interrogatories, will attempt to eliminate and simplify portions of them, as was done in the case of the interrogatories which the Government served on the defendants.

9 Films to Complete Wurtzel's Program

Nine pictures, two starting in December, four in January and three in February, will complete the 1939-40 production program for Sol M. Wurtzel's unit at 20th Century-Fox. Wurtzel will divide supervision duties with Associated Producer John Stone. The production schedule follows:

Dec. 13—Second Hotel For Women untitled picture.

Dec. 18—Second Cisco Kid picture, untitled, starring Cesar Romero with Jean Rogers and Chris-Pin Martin.

Jan. 3—"Marriage In Transit", featuring Jean Rogers and Joan Davis; "Charlie Chan's Oriental Cruise", starring Sidney Toler.

Jan. 15.—"Earthbound"; "Sweetheart of Turret One", featuring Jon Hall and Nancy Kelly.

February—Fourth Jones Family picture, untitled; Third Cisco Kid untitled picture, starring Cesar Romero with Chris-Pin Martin; third Hotel For Women untitled picture.

Actors Guild Quits L.A. Labor Council

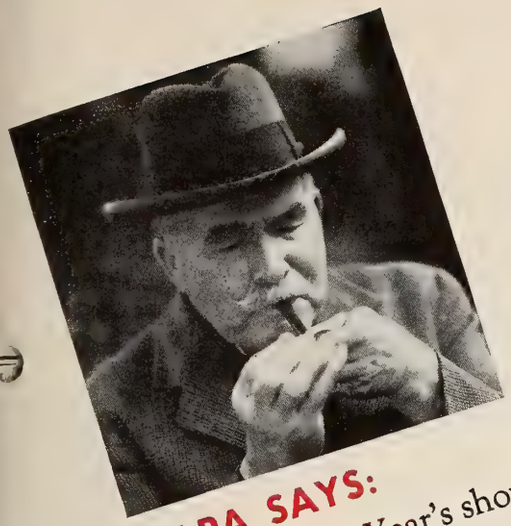
(*Continued from page* 1)

tary of the Guild and Ralph Morgan, before taking a plane for New York this afternoon, refused to comment on the situation.

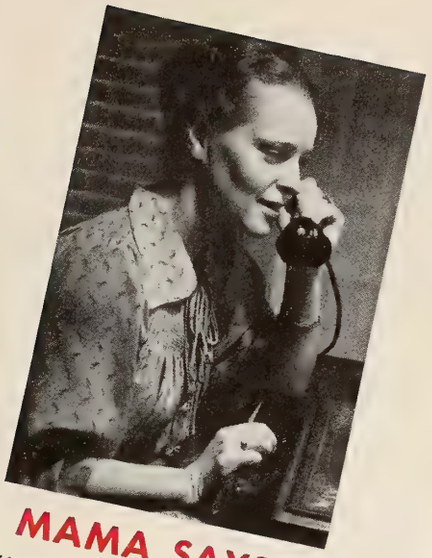
J. W. Buzzell, veteran executive of the Council, sharply rebuked the Guild in a statement. He said the reason for the Guild's resignation from the Council was traceable to its dislike for Bioff. Buzzell added: "We refuse to engage in polemics with the Guild over personalities."

M-G-M Party Tonight

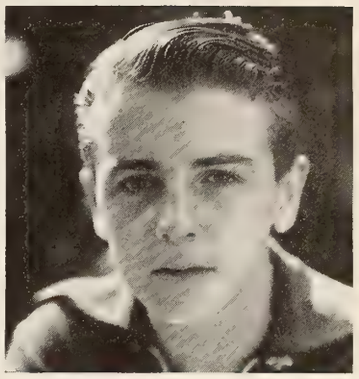
The M-G-M Club will have its annual Christmas party tonight at the Hotel New Yorker. Arrangements have been made for 150, including the staff of the local exchange and home office executives.



PAPA SAYS:
"I want a New Year's show with music and gayety. I hear Miss Massey is an eyeful—but don't quote me!"



MAMA SAYS:
"Give me laughs and an exciting, romantic film at New Year's! Nelson Eddy—Um!"



BROTHER SAYS:
"My New Year's dish is musical comedy, pretty dames. I'd like to be alone with Ilona!"

THEY ALL LIKE A "BALALAIKA" NEW YEAR'S!

(Holiday Bookings are Zooming! Hurry!)



SISTER SAYS:
"If it's gorgeous, gala, melodious and romantic, it's New Year's to me!"

"BALALAIKA" starring NELSON EDDY Ilona Massey with Charlie Ruggles • Frank Morgan • Lionel Atwill • C. Aubrey Smith Joyce Compton • Dalies Frantz • Screen Play by Leon Gordon, Charles Bennett, Jacques Deval • Based upon the Play "Balalaika" Book and Lyrics by Eric Maschwitz • Music by George Posford and Bernard Grun • Directed by Reinhold Schunzel • Produced by Lawrence Weingarten • An M-G-M Picture



M-G-M SAYS:
"Just previewed and what a show! Celebrate with 'BALALAIKA' and start the New Year right!"



ME, TOO!

'Alone' Draws Good $13,600, Philadelphia

PHILADELPHIA, Dec. 14.—A rather slow week here found "We Are Not Alone" leading at the Aldine with $13,600.

Estimated takings for the week ending Dec. 8:

"We Are Not Alone" (W. B.)
ALDINE—(1,700) (32c-42c-68c). Gross: $13,600. (Average, $8,000)
"The Cat and the Canary" (Para.) (2 days)
"Day-Time Wife" (20th-Fox) (5 days)
ARCADIA—(600) (32c-42c-57c) 2nd runs. Gross: $2,700. (Average, $2,600)
"Ninotchka" (M-G-M)
BOYD—(2,400) (32c-42c-68c) 2nd week. Gross: $14,800. (Average, $14,000)
"Disputed Passage" (RKO)
FOX—(3,000) (32c-42c-68c). Gross: $14,400. (Average, $13,000)
"The Housekeeper's Daughter" (U. A.)
KARLTON—(1,000) (32c-42c-68c). 2nd run. Gross: $5,800. (Average, $8,000)
"Jamaica Inn" (RKO)
KEITH'S—(2,200) (32c-42c-68c). 2nd run. Gross: $4,100. (Average, $3,500)
"Mr. Smith Goes to Washington" (Col.)
STANLEY — (3,700) (32c-42c-68c). 3rd week. Gross: $10,200. (Average, $14,000)
"Nurse Edith Cavell" (RKO)
STANTON—(1,700) (26c-32c-42c). Gross: $4,800. (Average, $4,500)

Kansas City Gives $8,500 to 'Destry'

KANSAS CITY, Dec. 14.—"Destry Rides Again" made the best showing in a fair week, taking $8,500 at the Esquire and Uptown.

Estimated takings for the week ending Dec. 4-7:

"Destry Rides Again" (Univ.)
ESQUIRE—(800) (25c-40c) 7 days. Gross: $3,800. Average, $2,500)
"Ninotchka" (M-G-M)
"Joe and Ethel Turp Call on the President" (M-G-M)
MIDLAND — (4,000) (25c-40c) 7 days. Gross, $10,500. (Average, $10,500)
"On Dress Parade" (W. B.)
"Our Neighbors the Carters" (Para.)
NEWMAN—(1,900) (25c-40c) 7 days. Gross: $5,400. (Average, $7,000)
"That's Right; You're Wrong" (RKO)
"Smashing the Money Ring" (W. B.)
ORPHEUM—(1,500) (25c-40c) 4 days, 2nd week. Gross: $3,000. (Average, $3,000)
"Jeepers Creepers" (Rep.)
TOWER—(2,200) (25c) 7 days. Stage: Barney Grant, Elmer Cleve & Co., McMahon & Adelaide, Johnny Bryant. Gross: $4,800. (Average, $5,000)
"Destry Rides Again" (Univ.)
UPTOWN — (2,000) (25-40c) 7 days. Gross: $4,700. (Average, $3,500)

Powell in Milwaukee Hits Smash $21,300

MILAWAUKEE, Dec. 14.—The personal appearance of Dick Powell at the Riverside was good for a house record of $21,300. The film was "Call a Messenger." "First Love" and "Little Accident" took $6,600 at the Warner.

Estimated takings for the week ending Dec. 5-7:

"Drums Along the Mohawk" (20th-Fox)
"Too Busy to Work" (20th-Fox)
STRAND—(1,400) (25c-35c-50c) 2nd week, 6 days. Gross: $1,200. (Average, $1,500)
"Ninotcha" (M-G-M)
"Blackmail" (M-G-M)
WISCONSIN — (3,200) (25c-35c-50c) 6 days, 2nd week. Gross: $4,000. (Average, $5,500)
"The Cat and the Canary" (Para.)
"Rulers of the Sea" (Para.)
PALACE — (2,400) (25c-35c-50c) 7 days. Gross: $5,200. (Average, $4,000)
"Call A Messenger" (Univ.)
RIVERSIDE—(2,700) (30c-40c-55c) 7 days. Sage: Dick Powell. Gross: $21,300. (Average, $6,500)
"First Love" (Univ.)
"Little Accident" (Univ.)
WARNER—(2,400) (25c-35c-50c) 8 days. Gross: $6,600. (Average, $4,500)

'Parade' Garners $7,400 in Seattle, 'Ninotchka' Good

SEATTLE, Dec. 14.—"On Dress Parade," at the Palomar with a stage show, drew $7,400 to lead the town. "Ninotchka" and "Dancing Co-Ed" took $7,400 at the Fifth Avenue. The weather was cool and rainy.

Estimated takings for the week ending Dec. 8:

"Rulers of the Sea" (Para.)
"Here I Am A Stranger" (20th-Fox)
BLUE MOUSE — (950) (25c-40c-55c) 7 days. 2nd week. Gross: $3,000. (Average. $4,000)
"Ninotchka" (M-G-M)
"Dancing Co-Ed" (M-G-M)
FIFTH AVENUE—(2,500) (25c-40c-55c) 7 days. Gross: $7,400. (Average, $7,000)
"Mr. Smith Goes To Washington" (Col.)
LIBERTY—(1,800) (25c-40c-55c) 7 days, 5th week. Gross: $5,100. (Average, $5,000)
"Day-Time Wife" (20th-Fox)
"20,000 Men A Year" (20th-Fox)
MUSIC BOX—(950) (25c-40c-55c) 7 days, 2nd week. Gross: $3,200. (Average, $4,000)
"That's Right; You're Wrong" (RKO)
"Three Sons" (RKO)
ORPHEUM — (2,450) (25c-40c) 7 days. Gross: $6,500. (Average, $6,000)
"On Dress Parade" (W. B.)
PALOMAR—(1,500) (15c-25c-40c) 7 days. Vaudeville headed by Swedish Bell Ringers. Gross: $7,400. (Average, $5,000)
"Another Thin Man" (M-G-M)
"Bad Little Angel" (M-G-M)
PARAMOUNT—(3,050) (25c-40c) 7 days, 2nd week. Gross: $5,400. (Average, $6,000)

'Geronimo' Leads Denver with $11,000

DENVER, Col., Dec. 14.—"Eternally Yours," with "Dr. I. Q." on the stage, the Denver took $13,500. "Geronimo" drew $11,000 at the Denham.

Estimated takings for the week ending Dec. 6:

"Day-Time Wife" (20th-Fox)
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $4,500. (Average, $3,500)
"Drums Along the Mohawk" (20th-Fox)
BROADWAY — (1,040) (25c-35c-40c) 7 days, 4th week. Gross: $3,500. (Average, $2,500)
"Geronimo" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days. Gross: $11,000. (Average, $6,500)
"Etrenally Yours" (U. A.)
DENVER—(2,525) (25c-35c-40c) 7 days. Stage show. Gross: $13,500. (Average, $9,000)
"That's Right; You're Wrong" (RKO)
"Fast and Furious" (M-G-M)
ORPHEUM—(2,600) (25c-35c-40c) 3-day holdover. Gross: $4,000
"Ninotchka" (M-G-M)
"Sued for Libel" (RKO)
ORPHEUM—(2,600) (25c-35c-40c) 4 days to start run. Gross: $6,500. (Average for week, $9,000)
"Pack Up Your Troubles" (20th-Fox)
"The Escape" (20th-Fox)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,500. (Average, $3,500)
"First Love" (Univ.)
"Tropic Fury" (Univ.)
RIALTO—(878) (25c-40c) 7 days, "First Love" 3rd week. Gross: $2,500. (Average, $1,750)

Seek Sunday Film Shows for Halifax

HALIFAX, N. S., Dec. 14.—The Halifax Board of Trade has endorsed the movement for the opening of the Halifax film theatres on Sundays during the war.

The board, one of the most important trade organizations in Canada, has given approval to showing pictures on Sunday, as a means of giving the men in uniform the right kind of entertainment and to keep them out of undesirable places. It is proposed to allow the theatres to open from 1 to 11 P.M. for pictures only, each Sunday.

California Prisons To Run Films Again

San Francisco, Dec. 14.—Authorizing the showing of motion pictures to convicts at San Quentin and Folsom penetentiaries, for the first time since the Thanksgiving Day riot at Folsom in 1927, state prison directors have ordered the purchase of two film projectors at $1,845 each. First films will be shown on Christmas Day. The Thanksgiving Day riot began when the prisoners marched in to see a picture.

'Furious' Is Chicago Lead With $22,200

CHICAGO, Dec. 14.—"Fast and Furious," aided by the Dead End Kids in person, set a house record at the State-Lake with $22,200. "Ninotchka" at the United Artists took $18,600.

Estimated takings for the week ending Dec. 7-9:

"Mr. Smith Goes To Washington" (Col.)
APOLLO—(1,400) (25c-55c-75c) 7 days, 4th week. Gross: $9,800. (Average, $6,000)
"Drums Along the Mohawk" (20th-Fox)
CHICAGO—(4,000) (35c-55c-75c) 7 days, 2nd week. Stage: Vaudeville Revue. Gross: $27,000. (Average, $32,000)
"Secret of Dr. Kildare" (M-G-M)
GARRICK — (900) (35c-40c-65c) 7 days. Gross: $5,900. (Average, $5,000)
"The Rains Came" (20th-Fox)
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: N. T. G. and Revue. Gross: $16,700. (Average, $13,000)
"That's Right, You're Wrong" (RKO)
"Call A Messenger" (Univ.)
PALACE—(2,500) (35c-55c-75c) 5 days, 2nd week. Gross: $11,500. (Average, $12,000)
"Disputed Passage"
ROOSEVELT—(1,300) (35c-55c-75c) 7 days, 2nd week. Gross: $9,000. (Average, $11,000)
"Fast and Furious" M-G-M)
STATE - LAKE — (2,700) (25c-35c-40c) 7 days. Stage: Dead End Kids. Gross: $22,200. (Average, $12,000)
"Ninotchka" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. Gross: $18,600. (Average, $14,000)

'Thin Man' Scores $11,800, New Haven

NEW HAVEN, Dec. 14.—"Another Thin Man" and "The Honeymoon's Over" took $11,800 in eight days at the Loew-Poli. Second week of "Ninotchka" and "20,000 Men a Year" grossed $4,800 in eight days at the College.

Estimated takings for the week ending Dec. 8:

"Ninotchka" (M-G-M)
"20,000 Men A Year" (20thFox)
COLLEGE—(1,499) (35c-50c) 8 days, 2nd week. Gross: $4,800. (Average, $2,700)
"Another Thin Man" (M-G-M)
"The Honeymoon's Over" (20th-Fox)
LOEW-POLI — (3,040) (35c-50c) 8 days. Gross: $11,800. (Average, $8,000)
"Rulers of the Sea" (Para.)
"Little Accident" (Univ.)
PARAMOUNT—(2,348) (35c-50c) 8 days. Gross: $5,500. (Average, $4,000)
"That's Right; You're Wrong" (RKO)
"Three Sons" (RKO)
ROGER SHERMAN—(2,200) (35c-50c) 7 days. Gross: $6,500. (Average, $5,000)

Film Company Formed

DOVER, Del., Dec. 14.—Mayfair Productions, Inc., has been formed here, with capital of $10,000.

'Thin Man' Is Frisco Lead, Pulls $20,500

SAN FRANCISCO, Dec. 14.—"Another Thin Man," paired with "Henry Goes Arizona," hit $20,500 at the Fox. "Ninotchka" and "Kid Nightingale" did $13,000 in the second week at Paramount.

Estimated takings for the week ending Dec. 5-8:

"That's Right, You're Wrong (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days, 2nd week. Gross: $11,000. (Average, $15,000)
"Mr. Smith Goes to Washington" (Col.)
"Five Little Peppers and How They Grew" (Col.)
ORPHEUM—(2,440) (15c-35c-40c) 7 days. 6th week. Gross: $7,500. (Average, $8,000)
"Another Thin Man" (M-G-M)
"Henry Goes Arizona" (M-G-M)
FOX—(5,000) (15c-30c-35c-40c) 7 days. Gross: $20,500. (Average, $16,000)
"Ninotchka" (M-G-M)
"Kid Nightingale" (W.B.)
PARAMOUNT—(2,740) (15c-30c-35c-40c) 7 days, 2d week. Gross: $13,000. (Average, $11,500)
"Housekeeper's Daughter" (UA)
UNITED ARTISTS—(1,200), (15c-35c-40c-55c) 7 days. Gross: $9,800. (Average. $8,000)
"Rulers of the Sea" (Para.)
"Pride of the Bluegrass" (W.B.)
ST. FRANCIS—(1,400) (15c-30c-35c-40c) 7 days, 2d week. Gross: $5,000. (Average. $6,000)
"Barricade" (20th-Fox)
"Smashing the Money Ring" (W.B.)
WARFIELD—(2,680) (15c-30c-35c-40c) 7 days. Gross: $11,500. (Average, $12,000)
"As You Like It" (20th-Fox)
CLAY—(400) (15c-35c-40c) 7 days. Gross: $1,100. (Average, $1,000)
"Lucrezia Borgia" (Gallic)
LARKIN—(390) (15c-35c-40c) 7 days, 7th week. Gross: $800. (Average, $1,000)

'Drums' Montreal Best with $8,900

MONTREAL, Dec. 14.—"Drums Along the Mohawk" scored $8,900 at the Capitol. Second week of "The Private Lives of Elizabeth and Essex" at Loew's accounted for $5,500.

Estimated takings for the week ending Dec. 8:

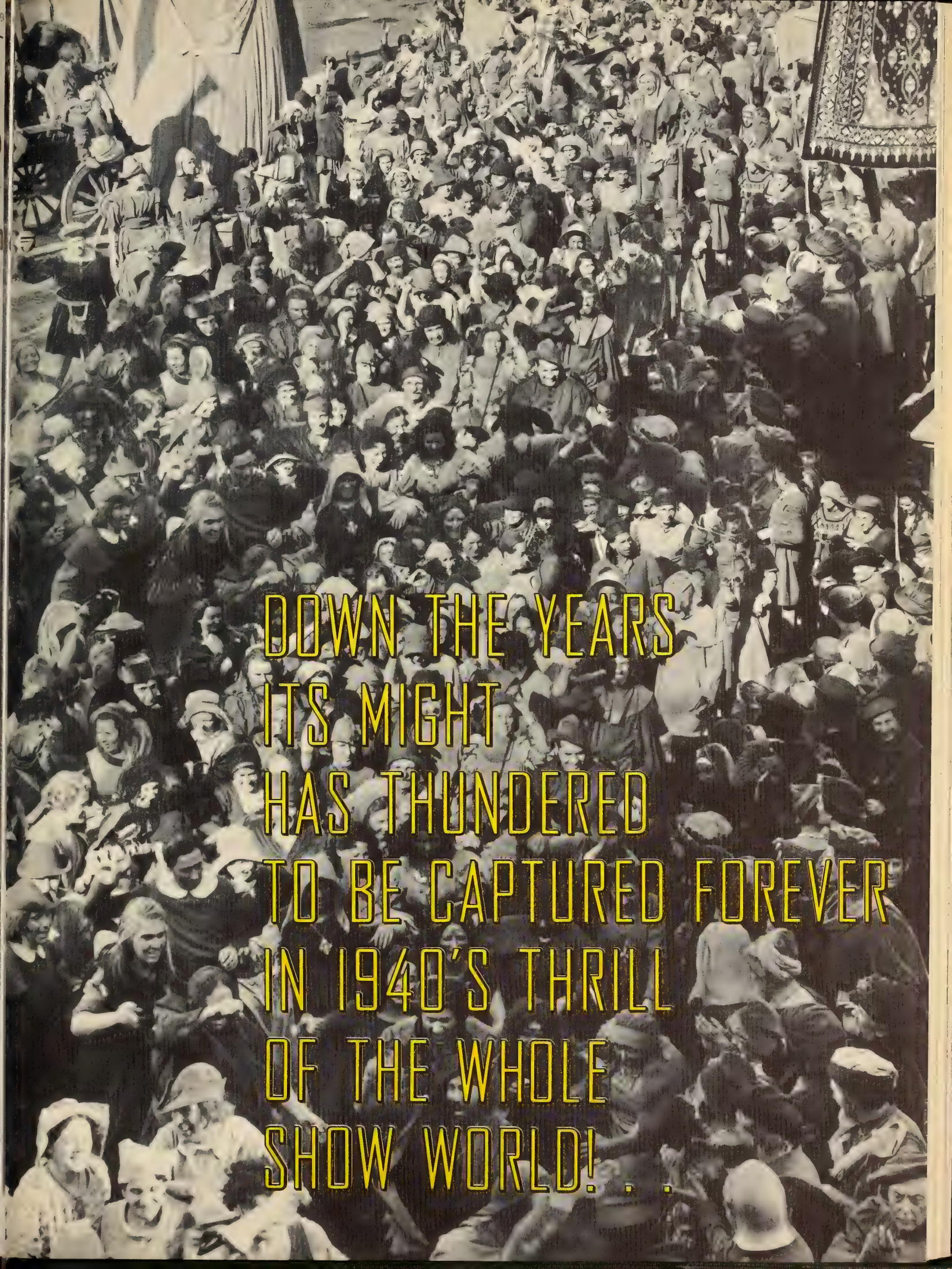
"Drums Along the Mohawk" (20th-Fox)
CAPITOL — (2,547) (25c-40c-55c-65c) 7 days. Gross: $8,900. (Average, $8,000)
"Our Fighting Navy" (British)
HIS MAJESTY'S—(1,700) (30c-50c) 5 days. Gross: $2,500. (Average, $2,500)
"The Private Lives of Elizabeth and Essex" (W. B.)
LOEW'S—(2,800) (30c-40c-60c) 7 days, 2nd week. Gross: $5,500. (Average, $8,000)
"The Housekeeper's Daughter" (U. A.)
"The Man Who Dared" (Para.)
ORPHEUM—(919) (25c-35c-50c) 7 days. Gross: $4,500. (Average, $5,000)
"The Lion Has Wings" (U. A.)
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $7,800. (Average, $10,000)
"Full Confession" (RKO)
"The Day the Bookies Wept" (RKO)
PRINCESS—(2,272) (25c-35c-50c-65c) 7 days. Gross: $4,000. (Average, $6,000)

Study Bingo Appeal

MADISON, Wis., Dec. 14.—The State Supreme Court has under advisement the appeal of Edward F. and Marie Zrimsek, operators of the Bahn Frei Hall, Milwaukee, from a decision by Circuit Judge Charles L. Aarons holding Bingo to be gambling and a public nuisance.

Release French Film

Phoenix Film Co., headed by S. Oliver Levy and R. Tapernoux, will release in this country the French film, "That's Life, Claudine," from the novel by Colette.


DOWN THE YEARS
ITS MIGHT
HAS THUNDERED
TO BE CAPTURED FOREVER
IN 1940'S THRILL
OF THE WHOLE
SHOW WORLD! . .

THE HUNCHBACK



STARRING

Charles LAUGHTON

WITH

SIR CEDRIC HARDWICKE • THOMAS MITCHELL

ONLY IN THIS ONE GIANT SHOW DO YOU GET ALL THIS ON YOUR SCREEN!

The Festival of Fools!

The Beggars' Court of Miracles!

The Flight to the Bell Tower!

The Mob Attack on the Cathedral!

The Flood of Molten Lead!

The Hunchback's Capture of the Dancing Girl!

The Torture of Beauteous Esmeralda!

The Whipping Wheel!

The Rescue from the Gallows!

The Death Struggle on the Topmost Pinnacle of Notre Dame!

●

ONLY IN THIS GREAT PICTURE DO YOU GET:

100 Name Roles by Featured Players . . . with 3,621 persons in a cast as big as any stage or screen has ever seen!

SPECTACLE – DRAMA – ROMANCE – MYSTERY – SUSPENSE – COMEDY – EXCITEMENT – ACTION!

●

2 HOURS OF UNBROKEN THRILL AND WONDERMENT!

AND! . . . TAKE A LOOK AT THIS 24-SHEET! IT'S ONLY ONE OF A SERIES!


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WITH
SIR CEDRIC HARDWICKE • THOMAS MITCHELL

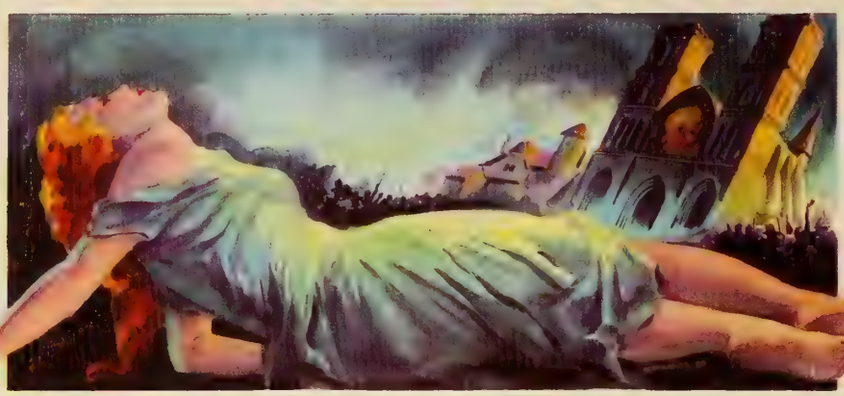

MAUREEN O'HARA • EDMOND O'BRIEN • ALAN

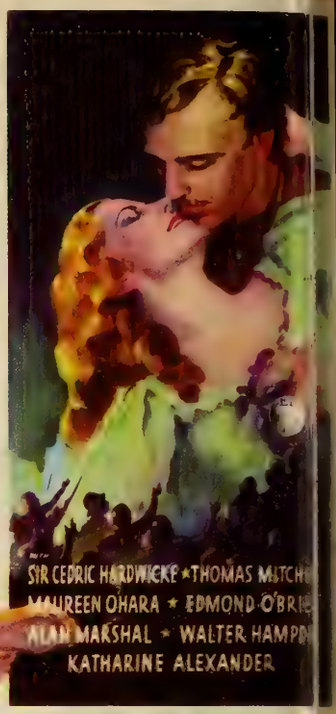

OF NOTRE DAME
MARSHAL • WALTER HAMPDEN • KATHARINE ALEXANDER
PRODUCED BY PANDRO S. BERMAN
DIRECTED BY WILLIAM DIETERLE



Charles LAUGHTON

THE HUNCHBACK OF NOTRE DAME





SENSATIONAL AND NOVEL
NATIONAL BILLBOARD CAMPAIGN!

Coast to coast, wherever you walk or ride, you'll be seeing one of the series of new-idea 24-sheets on "The Hunchback," of which two are shown on this page!... An outdoor campaign to make the nation's millions know the picture they want is on the way!

THE HUNCHBACK OF NOTRE DAME





Radio Brevities

A woman's fashion program broadcast weekly in Spanish for Latin America will start Wednesday, Dec. 27, over KGEI, General Electric's short wave station on Treasure Island, San Francisco. The program will be heard weekly at 8 P.M., Eastern time.

WHN increases its time on the air, beginning Monday, by one hour. Instead of the present hours of 7 A.M. until 1 A.M., the closing time will be moved to 2 A.M. Dance music will be used on the final hour.

Roy H. Holmes, Transcontinental traffic manager, leaves Sunday night for San Francisco, where Pacific coast stations will confer on traffic and program problems. Howard Lane, of the McClatchy stations, will represent the West Coast, and stations will also send representatives. Humboldt J. Greig, McClatchy sales manager, will also travel west for the meetings, which will be held Monday and Tuesday.

Oxo, Ltd., on behalf of its beef cubes and meat extracts, will sponsor five minutes of semi-classical music over WABC, starting Monday. It will be heard Mondays through Saturdays at 8:15 A.M. Platt-Forbes, Inc. is the agency.

WNEW will exclusively broadcast the 30 college basketball games from Madison Square Garden. No sponsor has been obtained yet. It will be the first time radio has covered the complete Winter basketball schedule.

Frankie Carle, pianist in Horace Heidt's "Pot of Gold" program, won first prize in the annual Ascap award for an outstanding song. His was "Sunrise Serenade."

Ironing Out Disputes Over Theatre Code

The League of New York Theatres met yesterday with Gustave A. Gerber, counsel for the Associated Theatre Ticket Agencies, in an effort to reconcile differences which have arisen over the ticket code. Six agencies including the three largest, have already accepted the code, James F. Reilly, League executive secretary, disclosed.

The League proposed that an advisory commission be established on which the brokers would have representation, if details could be worked out which would not be inconsistent with the present code setup.

Gerber had previously objected to the fact that brokers have no members on the Code Enforcement Authority, which is composed of League and Actors Equity embers. A further meeting will be held today.

Exchange Employes Offer Wage Demands

Film Exchange Employes Union, negotiating with the major distributors for a new contract, yesterday submitted demands on wage scales and working conditions.

Carl Leserman, assistant general sales manager of Warners, was chairman at yesterday's all-day meeting, held at the Warner home office. Negotiations will be resumed this afternoon.

Critics' Quotes . . .

"ANOTHER THIN MAN"

An even more novel mystery plot than any of its popular predecessors (*Boston Post*). An amusing comedy, not terrifically thrilling in its melodrama but clever in mystery elements (*Philadelphia Public Ledger*). If a little thinner than "The Thin Man," at least the domestic adventures are just as gay (*Philadelphia Evening Bulletin*). Stronger on comedy than plot (*Philadelphia Record*).

"DISPUTED PASSAGE"

Fortunately Miss Lamour is not the whole show in the story (*Philadelphia Record*). Lloyd C. Douglas' sugar-coated sermon (*Philadelphia Bulletin*). Chief distinction lies in Akim Tamiroff's brutally realistic Dr. Forster (*Philadelphia Inquirer*).

"THE HOUSEKEEPER'S DAUGHTER"

Comedy that scores more often than it misses (*Kansas City Journal*). One of the oddest comedies of the season (*Kansas City Star*).

Helsinki Bombing Clips Arrive Here

Spectacular newsreel footage on the bombing of Helsinki by Soviet airmen, comprising the first real action shots since the outbreak of war in Europe to reach all American newsreels, arrived in New York yesterday on the *Atlantic Clipper*.

The footage was prepared immediately for special releases, supplementing the midweek issues which had gone out to theatres earlier. The first of the specials will be exhibited on Broadway this morning. They will vary in length from 75 to 150 feet.

The material, regarded by reel editors as the best action footage yet to come out of the European war, pictures the raiding Soviet bombers in squadrons over the Finnish capital, the bombing of buildings and thoroughfares, the rush of civilians for bomb-proof shelters, terrified women and children caught in the destruction, and the ruin left behind.

The only war material to compare with it thus far, which has reached America, was the footage obtained by Paramount on the shelling of Gdynia by the Germans, according to newsreel men.

'Thin Man' $10,000 In Oklahoma City

OKLAHOMA CITY, Dec. 14.—"Another Thin Man" led the town with a strong $10,000 at the Criterion. "Day-Time Wife" drew $6,100 at the Midwest in a generally good week.

Estimated takings for the week ending Dec. 7:

"Another Thin Man" (M-G-M)
CRITERION—(1,500) (25c-35c-40c) 8 days. Gross: $10,000. (Average, 7 days, $4,500)
"Espionage Agent" (W. B.)
"The Hidden Staircase" (W. B.)
LIBERTY—(1,200) (15c-20c-25c) 7 days. Gross: $3,100. (Average, $2,400)
"Daytime Wife" (20th-Fox)
MIDWEST—(1,500) (25c-35c-40c) 7 days. Gross: $6,100. (Average, $4,000)
"Rulers of the Sea" (Para.)
PLAZA—(750) (25c-35c-40c) 7 days. Gross: $1,300. (Average, $1,100)
"The Real Glory" (U. A.)
STATE—(1,000) (20c-25c-40c) 7 days. Gross: $3,200. (Average, $3,000)
"The Secret of Dr. Kildare" (M-G-M)
TOWER—(1,000) (25c-35c-40c) 7 days. Gross: $2,800. (Average, $1,750)

M-G-M Party on Again

Christmas luncheon for M-G-M and Loew home office employes, which had been canceled, has been reinstated and will be held at the Hotel Astor Dec. 22, as originally scheduled. About 1,000 will attend.

Newsreel Parade

The passing of Douglas Fairbanks, Sr., Ambassador Davies arriving in New York and the Diamond Belt bouts are included in the weekend issues. The reels and their contents follow:

MOVIETONE NEWS, No. 28—Australian battleships at sea. Test bullet-proof glass. Girls bask in Florida sun. Lew Lehr. Boxing tournament in New York. Aquaplane race off Florida coast.

NEWS OF THE DAY, No. 226—Ambassador Davies arrives in New York. Ballet girls in practice. Christmas celebration in Philadelphia zoo. Diamond Belt bouts. Aquaplaning.

PARAMOUNT NEWS, No. 31.—Batista is presidential nominee in Cuba. Show synthetic fabrics. Ambassador to Belgium returns. Douglas Fairbanks, Sr., mourned. Amateur boxing in New York.

RKO PATHE NEWS, No. 43—Douglas Fairbanks, Sr., dies. Joseph E. Davies arrives in New York. Beach fashions. Dutch send good-will tulips to New York. Children visit store Santa Claus. Diamond Belt bouts.

UNIVERSAL NEWSREEL, No. 832—Navy discharges dirigible. Boys' choir sings hymn. Men's hat styles. Children in candy factory. Winthrop Rockefeller and Joseph E. Davies arrive in New York. Coulee Dam nears completion. Boxing matches.

Broadcast Music Backed at Tulsa

TULSA, Dec. 14.—Regional radio station representatives voted 18 to 2 in favor of supporting Broadcast Music, Inc., the new organization being developed by the National Association of Broadcasters to develop new sources of music and furnish it to broadcasters in place of Ascap-controlled music.

Jury Goes to Theatre

PADUCAH, Ky., Dec. 14.—After watching a two-hour film show in a theatre, a jury returned to the courtroom today and issued a $5,000 verdict in favor of Mrs. Julia Morgan Rye, who claimed she was permanently injured after stumbling over a step in the darkened theatre.

Turner in RKO Job

Terry Turner is slated for a special exploitation assignment for RKO under S. Barret McCormick, director of advertising and publicity. Turner, formerly with RKO Theatres, will direct a new exploitation road force on special releases.

Ready to Aid G.N., Erpi Announces

Erpi yesterday formally notified the Reconstruction Finance Corp. that it stood ready to fulfill its part in the refinancing of Educational-Grand National.

Erpi's action ends speculation as to its stand in the proposed refinancing and, it is believed, this will be made known at the Grand National creditors' meeting before Referee Peter B. Olney today.

Last week, Olney suggested a meeting be held to determine the R.F.C. and Erpi attitudes toward refinancing action when testimony at a creditors' hearing tended to show that each was waiting upon the other to act. Erpi is committed to advance $100,000 if the R. F. C. advances $450,000 and $50,000 additional is obtained from other sources.

'Destry' Rides High, $12,500, Pittsburgh

PITTSBURGH, Dec. 14.—"Intermezzo" and Louella Parsons' troupe on the stage pulled $21,000 at the Stanley. "Destry Rides Again" grossed $12,500 at the Alvin.

Estimated takings for the week ending Dec. 7:

"Destry Rides Again" (Univ.)
ALVIN — (1,900) (25c-35c-50c) 7 days. Gross: $12,500. (Average, $8,000)
"The Flying Deuces" (RKO)
"Meet Dr. Christian" (RKO)
FULTON—(1,700) (25c-40c) 7 days. Gross: $4,000. (Average, $5,000)
"The Real Glory" (U. A.)
LOEW'S PENN—(3,600) (25c-35c-50c) 7 days. Gross: $10,500. (Average, $13,000)
"Pack Up Your Troubles" (20th-Fox)
SENATOR — (2,000) (25c-40c) 7 days. Gross: $2,000. (Average, $3,500)
"Intermezzo" (U. A.)
STANLEY—(3,600) (25c-40c-60c) 7 days. On stage: Louella Parsons, Ronald Reagan, Joy Hodges, Jane Wyman, June Preisser, Arleen Whelan, Susan Hayward, Marc Bollero, Five Juggling Jewels, Mecca Graham. Gross: $21,000. (Average, $17,000)
"Another Thin Man" (M-G-M)
WARNER—(2,000) (25c-35c-50c) 7 days, 2nd week. Gross: $6,200. (Average, $5,000)

John Moroney Wins Tax Battle in Dallas

DALLAS, Dec. 14.—Defendant, his own attorney and his only witness in an income tax case, John Moroney, prominent Dallas lawyer, has scored an important legal victory over the U. S. government.

The controversy started when Moroney's father, the late Judge W. J. Moroney, suffered an eye affliction and was forced to act only in an advisory capacity in the law firm which he and the son maintained.

Income tax experts, in a dispute involving only $2,400, claimed that a partnership between father and son becomes dissolved when the father reaches an advanced age.

Moroney is counsel for the Texas Interstate circuit.

Television Charity Ball Here Tonight

Television's biggest promotion to date, the Television Ball for the benefit of the Goddard Neighborhood Center, will take place tonight at the Waldorf-Astoria Hotel. The entertainment, music and promotional campaign has been contributed by NBC, and the show will be televised from 11 P. M. to midnight.

MOTION PICTURE DAILY'S BOOKING CHART

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Nov. 10	Blondie Brings Up Baby *Penny Singleton*	Remember? *Robert Taylor Greer Garson*	The Phantom Strikes *Wilfred Lawson* Raiders Over England	Cat and the Canary *Bob Hope Paulette Goddard*	Rovin' Tumbleweeds *Gene Autry* The Covered Trailer *Gleason Family*	Allegheny Uprising *John Wayne Claire Trevor*	Drums Along the Mohawk *Henry Fonda Claudette Colbert*		First Love *Deanna Durbin* One Hour to Live *Doris Nolan*	Private Lives of Elizabeth and Essex *Bette Davis Errol Flynn*
Nov. 17		Another Thin Man *William Powell Myrna Loy*		Rulers of the Sea *Douglas Fairbanks, Jr.*	Saga of Death Valley *Roy Rogers*	Meet Dr. Christian *Jean Hersholt*	Too Busy to Work *Jones Family*		Tower of London *Basil Rathbone*	Dead End Kids on Dress Parade
Nov. 24	The Amazing Mr. Williams *Joan Blondell Melvyn Douglas*	Secret of Dr. Kildare *Lew Ayres Lionel Barrymore*	Roll, Wagons, Roll *Tex Ritter*	Our Neighbors, the Carters *Frank Craven Fay Bainter*		That's Right, You're Wrong *Kay Kyser Adolph Menjou*	Day-Time Wife *Tyrone Power Linda Darnell*		The Big Guy *Victor McLaglen Jackie Cooper*	We Are Not Alone *Paul Muni Jane Bryan Flora Robson*
Dec. 1	Cafe Hostess *Preston Foster Ann Dvorak*	A Call on the President *Ann Sothern Louis Stone*	Yukon Flight *James Newill*	Night of Nights *Pat O'Brien Olympe Bradna*	Cowboys from Texas *The Three Mesquiteers Carol Landis*	Reno *Richard Dix Gail Patrick*	City in Darkness *Sidney Toler* Inspector Hornleigh on Holiday		Laugh It Off *Johnny Downs Constance Moore*	Return of Dr. X *Humphrey Bogart Rosemary Lane*
Dec. 8	Fugitive at Large *Jack Holt* Taming of the West *Bill Elliott*	Henry Goes Arizona *Frank Morgan Virginia Weidler*	West of the Divide *John Wayne* Lucky Texan *John Wayne*	Llano Kid *Tito Guizar Gale Sondergaard*		Two Thoroughbreds *Jimmie Lydon Joan Brodel*	Barricade *Alice Faye Warner Baxter*		Man from Montreal *Richard Arlen Andy Devine*	Private Detective *Jane Wyman Dick Foran*
Dec. 15		Nick Carter—Master Detective *Walter Pidgeon Rita Johnson*	Gentleman from Arizona *Craig Reynolds* Westbound Stage *Tex Ritter*	All Women Have Secrets *Virginia Dale Joseph Allen, Jr.*	South of the Border *Gene Autry June Storey*		The Honeymoon's Over *Stuart Erwin Marjorie Weaver*		Missing Evidence *Preston Foster Irene Hervey*	The Mad Empress *Medea Novara Lionel Atwill*
Dec. 22	My Son Is Guilty *Bruce Cabot Jacqueline Wells*	Judge Hardy & Son *Mickey Rooney Lewis Stone*	Four Just Men *Frank Lawton*	Gulliver's Travels *Lanny Ross Jessica Dragonette*	Money to Burn *Higgins Family*	Escape to Paradise *Bobbie Breen Kent Taylor*	Everything Happens at Night *Sonja Henie*	Send Another Coffin *Ruth Terry Pat O'Brien*	Charlie McCarthy, Detective *Edgar Bergen*	Four Wives *Lane Sisters Gale Paige*
Dec. 29		Balalaika *Nelson Eddy Ilona Massey*		The Great Victor Herbert *Walter Connolly Mary Martin*	Days of Jesse James *Roy Rogers* Woman Who Dared *Charles Bickford*	Hunchback of Notre Dame *Charles Laughton*	The Cisco Kid and the Lady *Cesar Romero Marjorie Weaver*	Raffles *David Niven Olivia de Havilland*	Destry Rides Again *Marlene Dietrich James Stewart*	Invisible Stripes *George Raft Jane Bryan*
Jan. 5	Two-Fisted Rangers *Charles Starrett Iris Meredith*	The Earl of Chicago *Robert Montgomery Edward Arnold*	Danger Ahead *James Newill*	Emergency Squad *William Henry Louise Campbell*	Money to Burn *Gleason Family*	Legion of the Lawless *George O'Brien*	Swanee River *Don Ameche Andrea Leeds*		Framed *Constance Moore Johnnie Downs*	A Child Is Born *Geraldine Fitzgerald Jeffrey Lynn*
Jan. 12	Music in My Heart *Tony Martin Rita Hayworth*	Congo Maisie *Ann Sothern John Carroll*	Mr. Wong at Headquarters *Boris Karloff*	Geronimo *Preston Foster Ellen Drew Andy Devine*	Heroes of the Saddle *Three Mesquiteers*	Mexican Spitfire *Lupe Velez Leon Erroll*	City of Chance *Lynn Bari C. Aubrey Smith*		The Invisible Man Returns *Sir Cedric Hardwicke Nan Grey*	Brother Rat and a Baby *Jane Bryan Priscilla Lane Eddie Albert*

Paramount Pictures

Book these PARAMOUNT SHORTS when you book your features!

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DECEMBER 15 Cinecolor POPULAR SCIENCE #3

DECEMBER 22 Color Cruise CUBA

DECEMBER 29 Headliner FRANKIE MASTERS AND HIS ORCHESTRA

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 118 NEW YORK, U.S.A., MONDAY, DECEMBER 18, 1939 TEN CENTS

'B' Pictures Abandoned By Warners

Bryan Foy Is Promoted To Wallis' Assistant

HOLLYWOOD, Dec. 17.—Jack Warner over the week-end announced complete abandonment of "in-between" pictures and a program of 48 features, exclusively "A" product.

In line with the move, Bryan Foy, who has been associate producer on "in between" pictures, has been made assistant to Hal B. Wallis, executive producer.

"That we can accomplish this policy 100 per cent has been definitely proved by our 'A' production record of past years," Warner said. "We shall produce pictures deserving only preferred time in the best theatres of the world."

May 1 Trust Trial Gets Knox Consent

Trial of the government's anti-trust suit against the majors for May 1 was confirmed Friday by Federal Judge Knox after he had conferred with attorneys for the majors and the government on that day. A stipulation providing for this date and agreeing to a pre-trial under federal rules of procedure will be filed shortly.

Special Attorney General Paul Williams stated that Judge Knox would name a district judge to preside at the trial within the next few days. The pre-trial, he said, which would be held no later than March 1, will take care of preliminary questions and would effectively shorten the trial of the suit.

Williams declared that the stipulation under preparation would provide that neither side can ask for examinations before trial of witnesses after March 1. By the middle of February, he stated, all issues on interrogatories filed both by the government and the majors would be decided.

The government will oppose any questions of majors which seek in-

(Continued on page 2)

Newsreels to Have Naval Battle Shots

Universal and Paramount newsreels were officially advised over the week-end by representatives at Montevideo that material on the participants in last week's British-German naval encounter had been obtained. Arrangements are being made to ship the material on the first northbound clipper.

Opposition to G. N. Refinancing Ends; Creditors Give O. K.

Creditor opposition to the proposed refinancing plan for Grand National vanished Friday.

Saul E. Rogers, counsel for the company, reported to Referee Olney that, upon receiving Erpi's written commitment to participate in the refinancing, the Reconstruction Finance Corp. in New York had forwarded its report on the latter's share of the financing to Washington for final action.

With the agreement of creditors, Referee Olney adjourned further hearings on the refinancing to Jan. 5 to allow time for the R.F.C. to act on the proposal. However, action may be taken prior to that date, in which case hearings would be resumed immediately.

If the R.F.C. action is favorable, Leon Berger, former foreign representative for M-G-M who offered last week to buy up major creditors' claims, indicated he would consider a stock investment in the company to provide production financing. If the R.F.C. action is unfavorable, Berger still might enter the picture through the loan for working capital, it was said.

A study of the company being made by Berger indicates that Grand National might increase its weekly gross from $8,000 to $13,000, overcoming a current $4,000 weekly loss, by obtaining additional product and conducting an immediate sales drive.

Loew's Employes To Get Yule Bonus

Employes of Loew's, Inc., earning less than $40 a week will receive a Christmas bonus. The bonus will be two weeks' salary, but in no case will it exceed $50. Last year the company distributed bonuses up to $100.

The bonuses will be given out at a luncheon for employes of all home office departments and the local exchange at the Hotel Astor next Friday, which will be a half holiday beginning at 1 P. M.

'Gulliver' Opening In Miami Tonight

MIAMI, Dec. 17.—Stanton Griffis, Neil F. Agnew, Robert M. Gillham, Lou Diamond, Paramount executives, Jessica Dragonette and Lanny Ross arrived over the weekend for the opening of "Gulliver's Travels," Fleischer-Paramount color feature cartoon, at the Sheridan and Colony tomorrow night.

Oscar Morgan, Paramount Southern division sales manager, and Mr. and Mrs. M. F. Gowthorpe, of Paramount Theatre Service Corp., will come here directly from New Orleans.

State dignitaries, including Governor Cone, Senator Pepper, Senator An-

(Continued on page 2)

Atlanta Crowds Hail 'Wind;' N. Y. Premiere Tomorrow

ATLANTA, Dec. 17.—A wildly applauding audience of 2,031—at $10 per seat—sat through three hours and 40 minutes of "Gone with the Wind" in world premiere at Loew's Grand Friday night and left with the unanimous opinion that it is the world's greatest picture.

Each time an actor or an actress displayed a brilliant show of form, they broke it with ringing applause. There was much crying and laughing, too.

After the show was over Clark Gable, Vivien Leigh, Ann Rutherford, Olivia de Havilland, Laura Hope Crews, Ona Munson, Evelyn Keyes and Producer David Selznick were introduced and given a big hand.

Author Margaret Mitchell make her first public statement about the film version. In stirred emotion, she tried to thank "everybody"—Selznick and

(Continued on page 2)

Leaders of New York's social, financial, civic and commercial life, as well as many industry executives, will attend the premiere of "Gone With the Wind" at the Capitol tomorrow night, while down the street, at the Astor, there will be another capacity throng for the dual opening.

The police department has made arrangements to handle one of the biggest Times Square crowds in the city's history.

There will be plenty of glamour at both theatres for the start of what industry leaders say is a revolutionary experiment in the presentation of a motion picture.

For the first time, a Broadway premiere will be televised. From 8 to 9 o'clock three NBC television cameras will be trained on the arriving first-nighters at the Capitol, following them as they enter the theatre, while

(Continued on page 2)

SEC Approval For RKO Plan; $3 Price Stays

Action Hastens Early End Of Bankruptcy

The Securities Exchange Commission Friday approved the $3 a share price included in the Atlas Corp. agreement to underwrite 500,000 shares of RKO common stock, virtually assuring early emergence of RKO from bankruptcy.

Federal Judge Bondy, after hearing testimony in favor of the agreement and a report of the S.E.C., took the matter under advisement.

No objections were raised to the price of $3 for the stock. Creditors, stockholders and the S.E.C. all agreed that the price was fair as compared with market quotations on RKO and other motion picture stocks.

The sole objection to the compensation asked by Atlas for floating the stock was raised by Carlos Israels, attorney for the Unsecured Creditors' Committee. He was backed by the S.E.C. Israels pointed out that Atlas had obtained $1,879,626. in unsecured claims on which it would ordinarily be entitled to exercise an option to

(Continued on page 5)

Three Major Chiefs Arrive Here Today

Three major company chieftains and Leo Spitz arrive in New York today via the New York Central's crack train, the 20th Century. The group includes Sidney R. Kent, president of 20th Century-Fox; Nicholas M. Schenck, president of Loew's, and Maurice Silverstone, chief of worldwide operations of United Artists. Kent, Schenck and Silverstone have been to Hollywood on business. Spitz is returning from Chicago where he went on special business in connection with his law work. Spitz is the head of the law firm of Spitz & Adcock, of Chicago.

Columbia, Rogers Close 3-Year Deal

HOLLYWOOD, Dec. 17.—Columbia has signed a three-year contract with Charles R. Rogers Productions, Inc., for the production and distribution of three pictures a year.

Production will start at the Columbia studio shortly after the first of the year, with "Jane Addams and Hull House" and "Senate Page Boys" as the first two.

Purely Personal

JAMES ROOSEVELT arrived from the Coast by plane over the weekend to spend the holidays with his family here.

•

ALBERT DEANE, assistant to JOHN W. HICKS, Paramount foreign department head, has been elected secretary and a director of the Australian Society of N. Y.

•

NATE J. BLUMBERG, Universal president, arrived in from the Coast Friday. MRS. BLUMBERG stopped off at Racine, Wis., where she will visit relatives.

•

IRVING A. WATERSTREET, M-G-M exploiteer in Kansas City, and LOUIS AMACHER, M-G-M manager in Portland, celebrate their birthdays today.

•

DAVID GOULD, M-G-M manager in Puerto Rico, is recuperating from an operation performed here and will shortly leave for his post.

•

MR. and MRS. ARTHUR LOEW returned over the weekend from a short vacation in Jamaica.

•

IRVING BERKOWITZ, cashier at National Screen Accessories, and MAY FISHER were married yesterday.

•

HERMAN WOBBER, 20th Century-Fox sales manager, has gone to San Francisco where he will spend the holidays.

•

CHARLES McCARTHY, 20th Century-Fox publicity and advertising director, is back from the Coast.

•

JACK COHN, Columbia vice-president, is expected today from the coast.

•

HERMAN GOETZ will leave for the Coast tomorrow.

Trade Chiefs Testify In Boston Trust Trial

George J. Schaefer, president of RKO, Ned E. Depinet, vice-president, and William F. Rodgers, general sales manager of M-G-M, will be in Boston today to testify in the Morse & Rothenberg anti-trust suit against the major companies and the Shea circuit. Robert Wolff, RKO branch manager in New York, and other company executives, have already given depositions. Rodgers will arrive in Boston from Atlanta.

Ben Goetz Regains London Metro Post

Ben Goetz will return to London as head of Metro's production in Great Britain. The deal was set on the Coast. Goetz formerly was in charge of M-G-M production in England and returned here after the outbreak of the war.

SCRATCHES
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Negative — Positive —
Color Film Rejuvenated

News Cameramen File New Demands

Newsreel cameramen's Local 644 introduced new demands into its current negotiations with newsreels on a new contract for the union at a further conference on Friday.

New demands included $10,000 each of accident and life insurance for cameramen, two Sundays a month off and a four instead of five-year term for apprentice cameramen. A basic agreement was reached covering the exchange of lavenders among reels, under which each reel participating in an exchange must have one representative at the subject scene.

A new draft covering the points raised or agreed upon Friday will be drawn before negotiations are resumed. The cameramen were given a 10 per cent raise retroactive to Oct. 2 in Hollywood last month but this will not go into effect until the new contract is completed.

Richard Walsh, I.A.T.S.E. vice-president, and Charles Downs, business manager of Local 644, represented the union. Editors of the five newsreels attended.

Warner Yule Party Attended by 2,500

A record gathering of about 2,500, including 1,100 children, attended the Warner Club annual Christmas party for young relatives of company employes Saturday afternoon at the Brooklyn Vitaphone studio.

There were all the trappings of a Yule celebration, with Santa Claus. Sound Stage No. 4 was turned into a three-ring circus for a two-hour show by clowns, trick dogs, trained bears, seals and ponies. There were gifts for everyone.

Ralph Budd, personnel manager, arranged the party with the assistance of Harry Mayer, Ed Savin, George O'Keefe, Harold Rodner, Joe Englander, Murray Schiff and Irving Birnbaum.

Ampa Picks Neely Drive Committee

Committee appointed by Paul Lazarus, Jr., president of the Ampa, to conduct a fight against the Neely bill under Ampa's auspices includes Leon T. Bamberger, of RKO; Herbert S. Berg, Paramount; Louis Pollock, Universal; Martni Starr, Station WMCA, and Eli Sugarman of *Billboard*.

Ex-officio members are Arthur James, first president of the Ampa, and Lazarus. The committee will hold its first meeting today.

Painters' Increase Retroactive Aug. 25

HOLLYWOOD, Dec. 17.—The producers committee Friday agreed to make the 15 per cent wage increase granted to the studio painters retroactive to last Aug. 25. Details will be submitted to the union membership Monday night. About 900 workers are affected.

George Wilkinson Dies

George H. Wilkinson of Wallingford, Conn., the oldest exhibitor in the state, died of a heart attack Saturday at the age of 81.

Only Brandt Knows Of Star-Radio Deal

Hollywood, Dec. 17.—Nobody except Harry Brandt, president of the New York I.T.O. A., seems to know of an agreement between distributors and exhibitors to keep film stars off the air.

At the 20th Century-Fox studios, officials pointed out that Shirley Temple was going on the Screen Actors Guild show for Gulf Oil, and that preparations were under way for a "Swanee" program.

Paramount, Universal and RKO also disclaims knowledge of any deal.

Atlanta's Cheers at 'Wind' Opening

(*Continued from page* 1)

his "very perfect" cast first of all, then Atlanta which had been so good to her.

Also here for the premiere was Carole Lombard, Laurence Olivier, Claudette Colbert, Louis B. Mayer, Howard Dietz, and others.

The front of the theatre was a reproduction of twelve oaks with four columns 50 feet high supporting the roofing. Five high-powered anti-aircraft lights lighted the sky for 50 miles around.

Nearly 3,000 fans jammed the Square to watch the celebrities arrive.

Atlanta film reviewers were enthusiastic about the picture. Excerpts follow:

Georgian—"Greatest motion picture . . . most ably written . . . color best ever seen."

Constitution—"It is everything everybody hoped it would be. . . . It is Scarlett's picture. . . . Length causes a drag from movie standpoint but not from audience."

Journal—"Luck was with Selznick when he found Vivien Leigh. . . . She was best equipped for role of Scarlett."

Stories of the Atlanta premiere broke on the front pages of all New York papers Saturday, the first time that a premiere has ever received such prominence in dailies.

'Gulliver' Opening In Miami Tonight

(*Continued from page* 1)

drews and Representative Cannon participated in special civic events today. Tomorrow, the Miami Chamber of Commerce will be host at a luncheon in honor of Paramount and Fleischer studio officials. Mayor Sewell will preside and John C. Hall, Chamber of Commerce president, will speak.

In addition to Paramount officials, the following are scheduled to be present: George Ade, Damon Runyon, Albert and Jack Warner, Ben Bernie, Walter Winchell, Ted Husing and numerous other celebrities.

The Paramount contingent also is expected to include Y. Frank Freeman, Leon Netter, Leonard Goldenson, Max and Dave Fleischer.

Celebrities to N. Y. 'Wind' Premiere

(*Continued from page* 1)

television microphones pick up interviews.

Clark Gable is expected to attend, and the other players from the coast who went to Atlanta for the world premiere Friday night will be on hand.

The first night list includes virtually all of the industry's top flight executives who will be in New York, among them Nicholas M. Schenck, David Bernstein, J. Robert Rubin, Leopold Friedman, C. C. Moskowitz, Joseph R. Vogel and other M-G-M leaders; David O. Selznick, Barney Balaban, George J. Schaefer, Murray Silverstone, Jack Cohn, S. R. Kent, Albert Warner, William Goetz, Nate Blumberg, Ned E. Depinet, and such personalities as John Hertz, Herbert Bayard Swope, M. H. Aylesworth, Mayor F. H. LaGuardia, William Paley, Lenox Lohr, David Sarnoff, Gen. James G. Harbord and many others of note.

Mr. and Mrs. John Hay Whitney will be hosts to 350 friends at the Capitol and will give a party at their Fifth Ave. home to celebrate the event. Whitney is chairman of the board of Selznick International, which produced "Gone Wtih the Wind."

New York and Hollywood delegations who attended the Atlanta premiere returned here over the weekend, many by train which arrived at 5 o'clock yesterday morning. In the train party were the Whitneys, the Selznicks, Miss Leigh, Laurence Olivier, T. J. Connors, Claudette Colbert, Russell Birdwell, Howard Strickling, Otto Winkler, Ann Rutherford, William R. Ferguson, Mr. and Mrs. William Goetz, Mr. and Mrs. Howard Dietz, Oscar A. Doob, Olivia de Havilland and others.

May 1 Trust Trial Gets Knox Consent

(*Continued from page* 1)

formation as to what witnesses will testify on trial, he stated. In view of this position by the government, it will file objections to interrogatories which seek this information. Williams reiterated the government stand that it had no objection to the naming of witnesses, but would go no further.

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He stole my Pearls!
He stole my Watch!
He stole my HEART!
...and now he's going
to lift the mortgage
with hold-over crowds!


GOLDWYN BUSINESS with
–a comedy hit bubbling with Samuel Goldwyn Showmanship!
–featuring the star of "Real Glory" and "Bachelor Mother"!
–teamed for gay romance with delicious Olivia de Havilland!
–and directed by Sam Wood who made "Goodbye, Mr. Chips"!
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Directed by SAM WOOD

Musicians' Threat in Philly Theatres

PHILADELPHIA, Dec. 17.—Rex Riccardi, secretary of the local branch of the American Federation of Musicians, revealed today that it was the intention of the local musicians' union to ask aid from Joseph Weber, national president, in the local union's difficulties over the closing down of vaudeville at the Warner Bros. Earle and the independent Carman theatres.

Riccardi indicated that it was the local union's intention to ask the national officers to consider a nationwide walkout of bands and musicians from all Warner Bros. theatres because the local situation.

He also revealed that exhibitors in the Philadelphia area have been notified that a series of suits in the Federal Court would soon be instituted unless theater operators agreed to stop the use of recordings for chaser music, overtures, or as accompaniment for trailers.

In the meantime picketing by the musicians continued at the Fox, Alhambra, Kent, Carman, Oxford and the Stanley in Camden which obtained the vaudeville shows from the Earle on Sundays.

The difficulties began prior to December 1, the date of the expiration of the contract between Warner's and the union. Warner's demanded that they be allowed to hire only as many men as are needed at the Earle, and asked that the orchestra at the Fox, and the bands at the neighborhood houses be dropped since vaudeville had been discontinued there.

The union refused to grant this request and the picketing started a few days afterward. According to David Weshner, central zone manager of Warners, they agreed to the same terms in regard to wages and hours but balked at spending $175,000 annually for music when all that is needed is the expenditure of $60,000. which is the approximate cost of maintaining the band at the Earle.

The Carman, owned by George T. Graves, and managed by Frank Ackley, balked at signing a contract forcing them to use vaudeville 52 weeks in the year and offered to sign for forty weeks.

Actors Guild Blasts Union Racketeering

HOLLYWOOD, Dec. 17.—The Screen Actors Guild Friday sent to American Federation of Labor affiliates throughout California copies of a letter of resignation from the Los Angeles Central Labor Council in which the Council is accused of conceiving "as a primary duty the protection of William Bioff from enforcement justice." Pat Somerset, S.A.G. leader, in a statement yesterday said: "The position of S.A.G. is that unionism must leave no room in the ranks of labor for racketeering or rackets."

$2,000,000 Theatre Tax Is Ontario Aim

Toronto, Dec. 17.—The Ontario government will seek revision of the amusement tax act at the January session of the legislature in order to collect $2,000,000 annually from theatres. The tax was abolished two years ago.

New York Review

"Everything Happens at Night"

(20th Century-Fox)

A bright and lively piece of entertainment is this Sonja Henie starring vehicle. The dramatic elements are not too serious, and not to be taken too seriously, while the comedy aspect, as two young reporters fall in love with the same girl, affords numerous moments of amusement.

With the setting a small village in Switzerland, Miss Henie is seen, attractively, on skiis and skates. As the American reporter pictures for her the wonders of New York, in his mind's eye he sees her in a huge columned ballroom, floored with ice. Thereon Miss Henie once more demonstrates her skating wizardry, as to the background tune of a lilting waltz, she skims, glides and pirouettes in a fascinating exhibition of grace on the ice.

In support are Ray Milland, as the English, and Robert Cummings, as the American rival reporters. The two are sent to the Swiss village to try to find a famous peace advocate, Nobel Prize winner, understood to have been murdered, but believed hiding from his enemies in the village. Attempting to outwit each other in their search, they also amusingly seek to beat each other to Miss Henie's affections. Cummings wins.

Eventually, as danger threatens the elderly man, who is Miss Henie's father, not her patient as they had been led to suppose, they succeed in arranging their escape, with a flying sled race an effective bit of excitement.

The film was directed by Irving Cummings from an original screen play by Art Arthur and Robert Harari.

Running time, 78 minutes. "G."*

CHARLES S. AARONSON

**"G" denotes general classification.*

Loew Sets Committee For Xmas Luncheon

A committee of 30 has been appointed to arrange the Christmas luncheon given by M-G-M-Loew's for its employes at the Hotel Astor on Friday.

Committee members representing the various departments are: exchange, Edward R. Susse, Virginia E. Aaron; seventh floor, Len Cohen, Marvin Schenck, Eugene Picker, Leonard Pollack, Pat Stewart, Matie Hammerstein; sales department, Rose Klein, Irving Helfont; foreign, William Melniker, Felicia Lamport; construction, Florence Litt; purchasing, Dorothy Quimby; advertising, Perry Charles, Miss Buddy Markus; Loew advertising, Ernest Emerling, Anna D. Ellmer, Arthur Schmidt, Eddie Dowden; mailing room, Dan Harris; sixth floor, Ernest Morrell; Loew annex, M. D. O'Brien, Sidney Piermont; WHN, Frances Bloom, Leo Cohen; real estate, Harry Bernstein.

Hicks Starts Jan. 12 On S. America Tour

John W. Hicks, Paramount vice-president in charge of foreign distribution, will leave Jan. 12 for a month's tour of South American distribution centers. He will be met at Panama by Adolph Zukor, Paramount board chairman, who will accompany him on the trip. Zukor will go direct to Panama from Los Angeles.

Club Fetes Children

CINCINNATI, Dec. 17.—The local Variety Club will entertain more than 1,500 wards of local orphanages, and other children at a Christmas party at the RKO Orpheum Dec. 23. In addition to a special picture and stage show, the children will be given toys, candy and fruit.

Dismiss Lottery Charge

LAUREL, Miss., Dec. 17.—Lottery charges against W. S. Taylor for using games in local houses were dismissed due to the enforced absence of County Prosecutor Warner Beard.

SEC in Approval of New RKO Plan

(Continued from page 1)

purchase a pro-rata share of new stock at $3.

Under the agreement, Israels stated, Atlas by declining to pick up the stock would then secure it for $2.75 as underwriter. This position was characterized both by Judge Bondy and Israels as inconsistent. Hamilton C. Rickaby, attorney for Atlas, however, stated that Atlas intended to do this very thing, and had taken this into consideration when fixing compensation.

Rickaby volunteered to bind Atlas not to obtain any further claims until all options had expired. He pointed out the fact that Atlas had become a creditor long before confirmation of the plan.

Wilford J. Merrill, assistant to the president of RKO, and Robert B. Horton, co-manager of the underwriting syndicate of Goldman Sachs Co., testified in support of the agreement.

Judge Bondy adjourned RKO hearings until Dec. 29 at 2:30 P.M. after indicating that he would render a speedy decision on the plan.

$600,000 Awarded To Fox Creditors

CAMDEN, N. J., Dec. 17.—Federal Judge Avis has approved the report of the referee in bankruptcy for William Fox. Under its terms, creditors of the All-Continental Corp., Fox family's holding company, will receive $450,000 in cash and stock valued at $150,000 for their claims amounting to $1,500,000.

"A father will come before you to defend the life of his own daughter."



"MAIN STREET LAWYER"

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EDWARD ELLIS • ANITA LOUISE

HAROLD HUBER • ROBERT BALDWIN • BEVERLY ROBERTS

A Republic Picture

Short Wave Draws Near Self Support

With deals for sponsorship of short wave programs pending with 18 companies, NBC officials stated that the short wave international division will be on a self-sustaining basis within the next six months.

Estimates of present costs vary, but they have generally been placed at $200,000 annually. At present, only one sponsor has been obtained, the United Fruit Co., which pays $25,000 annually for a five-times-a-week news summary to Latin America.

Under present operating costs, six to eight sponsors using the same amount of time, would pay all overhead, program and transmission costs. However, it is anticipated that additional union costs and other expenses will bring the number of needed sponsors up to eight or 10. At least half of the present 18 prospects can be counted on to sign up, NBC believes.

The principal difficulty encountered in obtaining immediate sponsorship is that no direct product selling is permitted. As a result, only companies doing an international business who can benefit by institutional programs can take advantage of the short wave programs.

There are slightly more than 3,000,000 sets in Latin America, of which about 60 per cent are equipped for short wave reception. At present, radio set exporters have discovered that there is practically no market there for sets which cannot receive short wave.

Letters received from listeners have jumped from an average of 3,000 per month to 4,000. This increase has been attributed principally to war news broadcasts. News is being stressed by all short wave stations.

Big Radio Preview For 'Swanee River'

"Swanee River" will be given an air preview on a coast-to-coast hookup Friday, Dec. 29, on Kate Smith's program over CBS. Don Ameche, Al Jolson and Nancy Kelly will come to New York from Hollywood to be guest stars on the program. This is the second time 20th Century-Fox has arranged a tieup with the Kate Smith program, "Drums Along the Mohawk" having received a similar preview.

New Albany Transmitter

ALBANY, Dec. 17.—With the decision of the Federal Court of Appeals upholding an F.C.C. license granted to WTRY work will begin shortly here on the erection of a new transmitter. Opening of the station is scheduled for the early part of next year. The station will be located in Fabian's Procter building.

Boost 'Gulliver' on Air

Paramount will sponsor three 50-word announcements over WOR this week for "Gulliver's Travels" which opens at the Paramount Wednesday.

Profit of $5,000,000 Looming for CBS

A sharp increase in bookings over last year indicates that CBS will return the highest profit among the networks for the year.

Indications are that the CBS profit will be in the neighborhood of $5,000,000 or slightly less than $3 a share, as compared with a net profit of $3,541,741, or $2.07 a share, for the previous year.

Gross billings for the first 11 months for CBS were $30,992,671, a rise of 24.9 per cent over last year. For the first nine months of this year, CBS reported a net profit of $2.05 per share as compared with $1.52 for the same period last year.

3 Companies Enter New Licensing Pact

General Electric, Westinghouse and R.C.A. have entered into new mutual licensing agreement which widen the scope of existing contracts made in 1932. R.C.A. has acquired from GE. and Westinghouse the right to sell and grant licenses for the sale of tubes and associated apparatus. G.E. and Westinghouse have acquired the right to sell equipment for transmitters, television and facsimile apparatus and airport equipment.

TBS Pacific Coast Network Pushed

Representatives of 10 stations met in Portland, Ore., over the weekend to discuss a proposed Pacific Coast network within the Transconntinental System. Together with the seven McClatchy stations, they will carry rebroadcasts on Pacific time. The TBS West coast meeting, originally set for today and Tuesday, has been moved forward to tomorrow and Wednesday.

New Soap Programs

Los Angeles Soap Co. has signed for two new programs for CBS Pacific coast network to start in January. For White King soap, "Dealer in Dreams" will be heard Mondays through Fridays at 5:15 P.M. coast time. For Sierra Pine soap, "The Spelling Beeliner" will be heard Sundays at 2 P.M., Coast time. Both shows are for 52 weeks. Raymond R. Morgan is the agency.

NBC Children's Party

The 13th annual Christmas party for children of NBC employees will be held in studio 8-H at 10:30 A.M. on Friday. Jolly Bill Steinke will appear as Santa Claus and distribute gifts to 500 children. Madge Tucker of the Artists Service, has written a play in which 30 children will take part. On Christmas Eve, from 8:30 to 9:30, the play will be televised over W2XBS.

Fischer Quits AGMA

Leo Fischer, executive secretary of the American Guild of Musical Artists, resigned his post over the weekend. No reason was given for his resignation. Ernest Charles, who has been in charge of the A.G.M.A. Hollywood office, has taken over the post temporarily.

'School of the Air' Seven Years Old

WEVD will celebrate the seventh anniversary of its "School of the Air" with a special program tomorrow from 8 to 9 P.M. Participating in the program, which will consider "Traditions and Trends in America," will be Dr. Frank Kingdon, president of the University of Newark; Dr. George N. Shuster, acting president of Hunter College; James Marshall, president of the New York Board of Education; and Prof. Irwin Edman, of Columbia University.

Kaltenborn Will Do Daily News Casting

Beginning Christmas Day, H. V. Kaltenborn, veteran CBS news analyst, will be heard daily except Saturday over the network. Kaltenborn will continue his regular sponsored series, "Kaltenborn Edits the News," on Mondays, Wednesdays and Fridays and will comment on the news Tuesdays and Thursdays as a sustainer. On Sundays he will have the closing spot on the CBS program, "The War This Week" which features comment from the correspondents abroad.

Protection Urged For Mexican Radio

MEXICO CITY, Dec. 17.—Foreign radio stations interfere with Mexican broadcasts to such an extent that unless the Federal Government takes proper action radio in this country will be spoiled, declares a petition to President Lazaro Cardenas from Pedro de Lille, secretary general of the Mexican Radio Network Employes Association.

This interference is the result of Mexico's failure to make radio control agreements with other American countries, asserts the petition.

Actors' Federation Votes to Continue

The American Federation of Actors, vaudeville union ousted by the Associated Actors and Artistes of America last summer, voted Friday to continue functioning. A referendum will be held by mail to determine whether the sick and death benefit fund shall be continued and whether the federation shall continue to function as a labor union without national affiliation.

'Entente Cordiale' Benefit Wednesday

"Entente Cordiale," French film directed by Marcel L'Herbier, from "The Edwardian Era," by Andre Maurois, will have its premiere at the Hotel Pierre on Wednesday evening, as a benefit for the New York Infirmary for Women and Children.

A buffet supper and dancing in the Corinthian Room to Richard Himber's orchestra will follow the screening. Count de Font-Nouvelles, French Consul General in New York, is among the sponsors.

New Indiana Station

VINCENNES, Ind., Dec. 17.—Vincennes Newspapers, Inc., have been granted permission to erect a new radio station to operate on 1,420 k.c. with power of 100 watts, full time.

Radio Brevities

"Grand Hotel" returns to CBS Sunday, Jan. 7, at 1:35 P.M. with Betty Lou Gerson again starring. Frank Behrens will play opposite Miss Gerson. Joe Ainley (Miss Gerson's husband and producer of the "Fi[illegible] Nighter" series) will be producer.

Phil Cook has received a score of testimonials for hospitals in support of his annual drive for books for shut-ins, in his "Morning Almanac" heard twice each weekday morning over WABC.

The Chiclet program, heard over WJZ Tuesdays at 7:30, with Frank Novak's band and the Stardusters Quartet, has been renewed for 13 weeks, effective Jan. 2.

Keith Morgan, national chairman of the Committee for the Celebration of the President's Birthday, will broadcast the Christmas message of the 1940 "Fight Infantile Paralysis Campaign" over Mutual, Tuesday at 9:15 P.M.

Gabriel Heatter, who just dropped his morning news broadcasts, will start a series of inspirational talks over WOR Sunday, Dec. 24, at 7:45 P.M. Peter Paul, Inc., for Mounds candy, is sponsoring. Heatter is also broadcasting news comment over WOR Mondays, Wednesdays and Fridays for Modern Industrial Bank and R. B. Sembler, Inc., besides his regular "We, the People" stint.

Edith Meiser, who writes the "Sherlock Holmes" shows has just sold a play for Broadway production early in 1940. The play, a mystery, is an adaptation of a novel by John Stephen Strange.

Lee Cooley, Pacific coast announcer, comes to New York to take over the commercials on the Andre Kostelanetz "Tune Up Time" over CBS.

Mitchell Menachof, former sports editor of the Lafayette (Ind.) *News*, has joined WKRC and will do a sports program there, Mondays, Wednesdays and Fridays.

WBOW, Terre Haute, NBC outlet, has been granted a frequency change from 1,310 k.c. to 1,200. A new transmitter is being completed to provide greater night power for the station.

Groverman Blake, theatre editor of the Cincinnati *Times-Star*, is doing a Hollywood program over WKRC, Cincinnati, Fridays at 7 P.M. The *Times Star* radio editor, Frances Raine, will discuss radio personalities Wednesdays at the same time.

Shirley Temple, Eddy in Air Duet

Shirley Temple will sing a duet with Nelson Eddy when she makes her Christmas Eve appearance on the Screen Guild Theatre over CBS at 7:30 Christmas Eve. In addition she will sing two solos and will have a role in the radio presentation of Maurice Maeterlinck's "The Blue Bird." The duet will be "Silent Night." It is Shirley's first radio appearance.



RIP OFF THE MASK!

and find *triple* proof of what a low-cost radio program did for its sponsor in six months...

ON CBS

THE POWER OF RADIO... *unmasked!*



ACTUAL STORE INVENTORIES

show an 88% increase in sales due to Radio and Radio alone!

EVERY obscuring detail was ripped away. The program was put through the stiffest cross-examination research could devise. The client asked for it; wanted to measure exactly the sales impact of his CBS program *apart from all his other sales efforts.* It took everything in the research book to do it: actual *store* inventories, *home* inventories, personal interviews and coincidental telephone calls. *All* these were used by Crossley, Inc. And this is how they did it:

SLEUTHING at the counter! The biggest and toughest job was an exact measurement of the impact of this program *at the dealer's counter.* The client made it possible by choosing, for Crossley, two major markets in which all his sales factors were exactly comparable *except* for radio; his program was heard in one market, not in the other. Here's how perfect a pair of marketing research scales the client picked:

MARKET A		MARKET B	
Population	149,900	Population	127,412
Retail Sales*	$15,928,000	Retail Sales*	$15,034,000
Retail Outlets*	506	Retail Outlets*	497

**In this sponsor's field.*

And remember: all sales and advertising efforts of the sponsor were identical in both markets *except* for radio. *CBS alone made the difference!* Crossley measured this difference by taking actual store inventories on the sponsor's product week after week, for a full month. In exactly the same type of stores in both cities. In enough stores to be representative of *all* the stores in both cities. And this is what Crossley found:

188 UNITS OF SALE PER WEEK IN AVERAGE STORES IN **RADIO** MARKET

100 UNITS OF SALE PER WEEK IN **NON-RADIO** MARKET

Crossley found that average stores in the *radio* market were selling 188 units of the sponsor's product, for every 100 units of sales in average stores in the *non*-radio market. An increase of 88% due to CBS!

CBS alone made the difference!



...AMONG LISTENERS ONLY

sales are 81% higher than the nearest competitor's (but only 7% higher among non-listeners)

DOUBLE CHECK: Moving in from total markets (where they found an 88% sales-increase *created by radio)* Crossley's investigators then checked the use of the product in the radio market alone; among families *known* to have heard the program, and families who *never* heard it. They found these families by coincidental telephone calls and by personal interviews: two test groups comparable in every way *except* for listening to this program. *And for their use of the sponsor's product!* When Crossley inventoried the *pantry* of each family they unmasked this striking competitive situation—due to radio alone. (See chart, right)



181 families use the sponsor's product, for every 100 using the next competing brand, among *known listeners* to this program. An 81% increase — due almost entirely to radio alone! For among *non*-listeners, for every 100 families who used the next brand, 107 used the sponsor's product—only a 7% increase.

AMONG REGULAR LISTENERS ONLY

sales are 236% higher than the nearest competitor's (and 59% higher among occasional listeners)



336 families use the sponsor's product, for every 100 using the next competing brand, among *regular* listeners to this program. A 236% difference — created by *repeated* radio impacts. Among *occasional* listeners, there's a 59% difference in favor of the sponsor's product.



TRIPLE CHECK: During the personal interviews, each "listening" family told Crossley whether it heard the program *regularly* or *occasionally*. The use of the sponsor's product was then checked in these two groups of families—exactly comparable in every way *except* for listening *regularly* or *occasionally*. The chart on left shows what Crossley found.

MORE DETAILS ➡

THE MASK IS OFF...

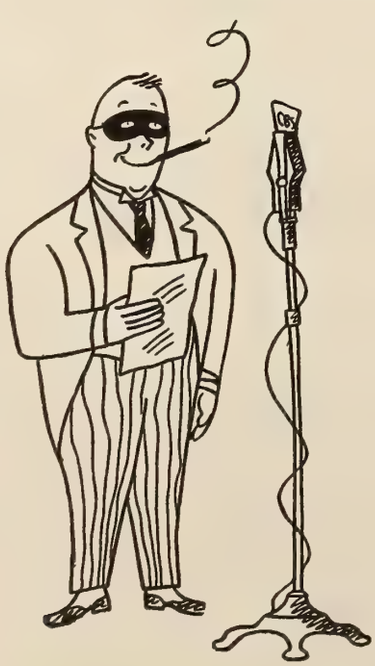
It's seldom that an advertising medium is subject to the triple cross-examination reported on the preceding pages. Not often is every obscuring detail ripped so completely away. But radio, as you see, didn't mind at all. And now that all the facts are in, there's only this to add:

The entire ambitious study was focussed on a CBS program on the air *only six months prior to the tests.*

At no time did this program "rate" more than an *average-sized* audience for its type of show.

And its talent cost was below average.

The results of this program were average, too... *for radio.* There's nothing unique in this CBS "success-story" except for the care with which the power of a program was isolated and measured for its sponsor. *The results were there* whether "measured" or not. And the results continue, for the sponsor is still with us on the air.



Who is the sponsor? Sorry, but he asked us not to tell. You know how clients are. When they hit on as successful a sales strategy as this, they're not prone to shout about it. So, while we've cheerfully unmasked, in every detail, radio's full sales-impact we've promised not to unmask our sponsor.

The Columbia Broadcasting System

485 MADISON AVENUE • NEW YORK CITY

M. P. PRODUCERS &
DISTRIBUTORS OF AM., IN
28 WEST 44TH ST.,
NEW YORK,
N. Y. (3 COPI

Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 119 NEW YORK, U. S. A., TUESDAY, DECEMBER 19, 1939 TEN CENTS

Selznick Will Stay With UA 'Indefinitely'

Offered Free UA Interest, He Turns It Down

By AL FINESTONE

David O. Selznick, producer of "Gone With the Wind," said yesterday in New York that he will remain with United Artists indefinitely as a producer.



David Selznick

"I have been offered an interest in United Artists without cost, but I don't want any part of a distributing company," Selznick asserted. "I am very happy with United Artists. They have done a wonderful job on my pictures."

Selznick also said that he and John Hay Whitney are permanent partners and that he is seeking no other affiliation.

Selznick has two pictures to deliver to United Artists under his present contract, in addition to "Rebecca," which is in the finishing stages. These two will be delivered by the Fall of 1940. One will star Vivan Leigh and

(*Continued on page* 10)

Miami Enthralled At 'Gulliver' Show

MIAMI, Dec. 18.—Paramount unveiled Max Fleischer's version of "Gulliver's Travels" to the cash customers here tonight—and they loved it.

In a double barreled world premiere that sold out both the Sheridan and Colony theatres, the famous Jonathan Swift classic tale of the giant and the Lilliputians became the second full length feature cartoon to reach the screen.

The picture started out to be Paramount's. It wound up becoming Maimi's. The city built a three-day celebration around the affair that not only has set the town agog but formally opened the winter social season at this Florida resort.

Everyone that could crowd inside

(*Continued on page* 4)

'Wind' to Capture Broadway Tonight; Lures Celebrities

"Gone With the Wind" will be formally presented to New York tonight at a double premiere at the Capitol and Astor theatres. This will be the first dual opening on Broadway since "Hell's Angels" about 10 years ago.

Top ranking celebrities of the industry and society, as well as civic, theatrical, financial and commercial leaders, make up the roster of those who will attend. The opening is a high mark of the social season and many parties are scheduled in conjunction with it.

This will be the first showing of the picture to a theatre public other than in Atlanta, where the film has been sensationally acclaimed.

Nicholas M. Schenck, president of M-G-M, which is releasing the film, will head a large contingent of company executives. Present also will be David O. Selznick, producer of "Gone With the Wind," John Hay Whitney and other Selznick International officials. Also attending will be a number of players from Hollywood.

An innovation in Broadway premieres will be the televising of the opening by NBC. Celebrities arriving will be interviewed for the television camera and microphones from 8 to 9 P. M.

The Astor was filled to capacity last night for a press preview of the picture. Executives of New York news-

(*Continued on page* 10)

GOLDWYN SEVERS ALL TIES WITH UA

Executives Testify In Boston Trust Suit

Boston, Dec. 18.—William F. Rodgers, general sales manager of M-G-M; George Schaefer, president, and Ned E. Depinet, vice-president of RKO; Samuel Engleman of New Jersey and others testified today in the anti-trust action of Morse & Rothenberg circuit against the major companies. Today marked the 153rd day of the Federal court action.

Exchange Employes Win New Wage Pact

About 600 employes of major companies' exchanges benefit in the new two-year wage agreement reached last weeekend between the distributors and the Film Exchange Employes Union. The union had asked for a 25 per cent wage increase and better working conditions.

Committees representing both sides negotiated the new contract for about 3,500 employes in 31 exchange centers. The concessions granted for the par-

(*Continued on page* 10)

Contract Closes Today; Fairbanks Stock Must Go to UA First

Samuel Goldwyn yesterday notified United Artists of the termination of his distribution contract with the company, effective today, according to a statement issued last night by Max D. Steuer, Goldwyn's attorney.



Samuel Goldwyn

Murray Silverstone, United Artists chief executive, said that up to a late hour yesterday neither he nor any officer of United Artists had received such a notification and that in its absence he could not comment on Steuer's statement to the press.

The Steuer press release said that the notification was given on behalf of Samuel Goldwyn, Inc., and that the contract termination would apply to "all future pictures that may be produced by Goldwyn or his company."

It is not intended to affect Goldwyn pictures now in release nor does it apply to "Raffles," which was completed by Goldwyn recently and will be distributed by United Artists.

Goldwyn's future production plans have not been announced. On the

(*Continued on page* 4)

"Gulliver's Travels"

[Fleischer-Paramount]

HOLLYWOOD, Dec. 18, 1939

Sam Shain
Editor, MOTION PICTURE DAILY
New York, N. Y.

Dear Sam:

I am happy to report that "Gulliver's Travels" is a great and glorious picture. I report this on the highest authority and with complete awareness of the importance of the occasion. My authority for this assertion is the young lady, then 11, now 13, who accompanied me to the world premiere of "Snow White and the Seven Dwarfs" on Dec. 22, 1937, and authorized me to announce in your paper the next day that the first feature length cartoon film would "captivate the population as no other motion picture ever has." This young lady authorizes me to repeat the same eminently substantiated statement here.

You will remember, I'm sure, that this young lady's opinion about "Snow White" was, at the time of utterance, distinctly a minority vote. The adult experts were full of quibblings and questionings about such things as the expertness of animation, the possibilities of making audiences sit still and stay interested for 82 minutes. The experts found out

(*Continued on page* 4)

Blumberg Reveals New "U" Releases

Completion of Universal production plans and the acquisition of new stars occupied the attention of a weekend meeting of district sales managers, with Nate Blumberg, president, addressing the men on his return from the Coast studio.

W. A. Scully, general sales manager, presided, with individual sessions handled by F.J.A. McCarthy, and W. J. Heineman, Eastern and Western sales managers, respectively.

Blumberg listed as completed and awaiting release dates: "Charlie McCarthy, Detective," "Green Hell," "The Invisible Man Returns," "Oh, Johnny, How You Can Love." Nearly completed is "My Little Chickadee,"

(*Continued on page* 11)

Purely Personal

GEORGE SKOURAS topped GRADWELL L. SEARS and a host of others in the skeets shoot at the Rye traps of the Westchester C. C. last weekend, winning the high scratch cup and trophies in the singles and doubles handicap events.

•

HAL HORNE, vice-president of Walt Disney Productions, returned yesterday from studio conferences. MRS. HORNE is remaining over the holidays in Tucson, Ariz., where their young daughter is in school.

•

CHARLES E. MCCARTHY, ERNO RAPEE, JOHN HICKS, TED O'SHEA, A. P. WAXMAN, DAVE WEINBERG, OWEN DAVIS, ALLAN JONES and MAX A. COHEN at Nick's Hunting Room in the Astor for lunch yesterday.

•

RICHARD CONNERS, MOTION PICTURE DAILY correspondent in Albany, is the father of a girl, born to MRS. CONNERS at the Brady Maternity Hospital.

•

MARTIN QUIGLEY, JOHN D. HERTZ, JR., JOSEPH J. UNGER, MILTON KUSELL, CARL LESERMAN, PAT SCOLLARD, MOE STREIMER and SAM SHAIN at Dinty Moore's for luncheon yesterday.

•

ROBERT WEITMAN, MARY MARTIN, ARTHUR LOEW, MORT SPRING, ARTHUR KRECKE, LEE SHUBERT and AL LEWIS lunching at Sardi's yesterday.

•

EUGENE MURPHY, of Loew's publicity department, will spend the Christmas holiday in Chicago, his home town.

•

WILLIAM C. GEHRING, 20th Century-Fox Central division manager, has returned from a trip to the Midwest.

•

FRANK DONOVAN, RKO Pathe production manager, has sailed for Bermuda with a crew to film a new short.

•

GEORGE RAFT returns to the Coast today after a brief vacation here.

•

ALTON REA, manager of the Stanley in Pittsburgh, is the father of an eight-pound boy, born to MRS. REA.

•

EMMANUEL CORBER, shipper for Regal Films, has enlisted at St. John, N.B.

•

JAMES ROOSEVELT returned to the Coast by plane after spending the weekend in New York.

•

MARY PICKFORD has returned to Chicago after spending a few days here.

•

RAIMU, French film star, has been knighted by the French Government and has been made a Chevalier of the Legion of Honor for his work in French films.

•

AL ROSEN, manager of Loew's State, is back on the job after a long illness. He says he appreciates the many expressions of interest of his friends during his long illness.

•

MR. and MRS. LEO SPITZ will leave at the end of the month to spend the season in Florida.

•

HARRY EDINGTON will leave for the Coast today after a brief visit here.

•

HARRY GOETZ will leave for the Coast today.

•

BORIS MORROS left yesterday for the Coast.

•

MR. and MRS. LEOPOLD FRIEDMAN leave Thursday for a Florida vacation.

•

DAVE GROSS arrived from the Coast yesterday.

•

RUSSELL BIRDWELL leaves tomorrow for the Coast by plane.

For Lunch, Dinner or Supper
LaHIFF'S TAVERN
The Industry's
MEETING and EATING PLACE
156 W. 48th St. Tel. CHickering 4-4200

Last Rites Today For Rep. Sirovich

Funeral services for Dr. William I. Sirovich, 57, Congressman from New York City will be held at noon today in Gramercy Park Memorial Chapel, 152 Second Ave. Dr. Sirovich died Sunday of a heart attack.

The Congressman was a playwright as well as a physician. Two of his plays, "Suspended Sentence" and "The Schemers" were produced on Broadway. He was a champion of the Federal Theatre Project of the WPA. Dr. Sirovich was chairman of the House Committee on Patents.

He also sponsored legislation to abolish federal tax on all theatre tickets.

See Lanham as Sirovich Committee Successor

WASHINGTON, Dec. 18.—Rep. Fritz G. Lanham of Texas is seen as the logical successor to Congressman Sirovich as chairman of the House Patents Committee, which at the next session is again expected to tackle the controversial subject of copyright law revision, in which the film industry is interested. Lanham is ranking Democratic member of the committee.

M'Causland Given Studio Post by 'U'

HOLLYWOOD, Dec. 18.—A. H. McCausland, a vice-president and director of the Harry Edington production organization, will join Universal soon in a special capacity at the studio.

McCausland, formerly the Irving Trust Co.'s representative in RKO, will handle labor relations besides special assignments.

Edington plans to put his second release for Universal into production about Feb. 1. Although not definitely decided yet, the production may be "Le Chien," with Cary Grant. Distribution arrangements beyond that have not been set.

Marx Film Viewed On King's Birthday

King George VI of England celebrated his 44th birthday last Friday by attending a showing of "Marx Bros. at the Circus" at the Empire Theatre in London, last Friday, the M-G-M home office was advised yesterday by cable from Sam Eckman, British managing director.

Associates Make '40 Nominations

Jack Ellis, president, and Moe Sanders, vice-president, were nominated for president of the Motion Picture Associates at a membership meeting Saturday at the Abbey Hotel. Ellis has held the position two years, and under his incumbency 67 new members were added. The membership now totals 230. Elections will be held in January.

Other nominations were: Vice-president, Jerry Wilson, Moe Streimer; second vice-president, Matty Cahn, Jack Rosenfeld, Moe Kurtz; treasurer, Saul Trauner, Nat Beier; financial secretary, Charles Penser; recording secretary, Moe Freim, A. Weinberger; sergeant-at-arms, Louis Kutinsky, Abe Blumstein, Max Fried; trustees, two to be elected, Seymour Schussel and Joe J. Lee, incumbents, and Myron Starr and Jack Hattem.

Metro Signs Asher As Coast Producer

Irving Asher has signed with M-G-M as an executive producer and will remain on the coast. Until recently he headed his own producing company at Denham Studios in London where he produced for Columbia. His most recent pictures were "Clouds Over Europe" and "U-Boat 29."

Jack Cohn, Columbia vice-president, returning from a three-week visit to the studio yesterday, said he would in the near future designate a successor to Asher in charge of British production.

Temporary Officers Elected by Bookers

The Motion Picture Bookers Club of New York was organized last night at the Lincoln Hotel at a meeting attended by 48 bookers.

Temporary officers who will serve until the constitution and by-laws are adopted were elected as follows: Myron Starr, chairman; Ed Susse, treasurer, and Jack Meltzer, secretary.

The next meeting is scheduled at 7 P. M. on Thursday, Dec. 28, at the Lincoln Hotel. A membership campaign is being planned.

Honor Kellenberg

PITTSBURGH, Dec. 18.—C. C. Kellenberg, assistant manager of the 20th Century-Fox exchange, will be honored at a testimonial dinner Jan. 29 at the William Penn Hotel, celebrating his 20th anniversary in the local exchange. Harry Kalmine, Warner Theatres, is general chairman of the dinner.

Six Company Chiefs Arrive for Holidays

Six film company executives arrived on the same train from the Coast yesterday in order to spend the Christmas holidays here.

Aboard the Twentieth Century Limited were Nicholas M. Schenck, president of Loew's; Sidney R. Kent, president of 20th Century-Fox; Maurice Silverstone, chief of world-wide operation of United Artists; Sidney To[illegible], treasurer of 20th Century-Fox; [illegible] Cohn, vice-president of Columbia Pictures, and Harry Buckley, vice-president of United Artists.

Schenck had been on the Coast less than a week. He confirmed the fact that Ben Goetz was returning to London to supervise M-G-M quota production, and revealed that Goetz will leave for London in two weeks. Schenck was met at the station by C. C. Moskowitz, executive operator of Loew's theatres.

Kent, accompanied by Towell, returned from conferences at the company's studios. Herman Wobber, general sales manager of 20th Century-Fox, who also had participated in these conferences remained on the Coast. Hugh Strong, director of personnel of 20th Century-Fox, met Kent and Towell at the station.

Charles E. McCarthy, director of advertising and publicity of 20th Century-Fox, returned Friday by plane ahead of Kent and Towell.

Kent found conditions on the Coast encouraging. The death of Douglas Fairbanks, Sr., threw a pall over Hollywood which did not lift after the funeral, Kent said.

Silverstone and Buckley were met by a host of United Artists officials. Members of Jack Cohn's family greeted him at the station.

Warner Starts Five Big Pictures Soon

Five important Warner pictures will start shooting on or about Jan 15. Hal B. Wallis, executive producer, announced yesterday.

Productions are: "The Sea Hawk," starring Errol Flynn; "The Prime Minister," co-starring Geraldine Fitzgerald and Laurence Olivier; "All This and Heaven, Too" starring Bette Davis in a version of the Rachel Field best-seller; "City for Conquest," starring James Cagney; "The Patent Leather Kid" with George Raft starred.

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JUST PREVIEWED!

Every advance prophecy is true. They laughed, they wept, they cheered. It tops the series and oh boy what a holiday gold mine! •

"JUDGE HARDY AND SON" will play in approximately 350 simultaneous holiday spots. Get ready for sensational business. It is the best of all the happy Hardy hits and the one picture that will bring out whole families to laugh and love it!

(Nationally advertised Life, Satevepost, Collier's)

with LEWIS STONE • MICKEY ROONEY
CECILIA PARKER • FAY HOLDEN

Original Story and Screen Play by Carey Wilson

Directed by GEORGE B. SEITZ

M-G-M's "HARDY XMAS" PRESENTATION!

Miami Agog At Premiere Of 'Gulliver'

(*Continued from page* 1)

the walls of the theatre was there. And the man in the street sat shoulder to shoulder with the man of wealth and laughed at the antics of Gabby, King Bomb, the Three Spies, Twinkletoes and Gulliver and applauded the singing of Jessica Dragonette and Lanny Ross in the roles of Prince David and Princess Flory.

'Gulliver's Travels' Ball

Following the premiere itself, the crowd at the Sheridan went home. But the Colony was filled with the Miami Beach smart set and they went to the Roney Plaza Hotel for a brilliant "Gulliver's Travels Ball" which formally opened the Winter season. The P.T.A. milk fund was the beneficiary of the ball. Ben Bernie flew to Miami from New York to conduct the orchestra at the ball. Miss Dragonette, Ross, and Ted Husing, famous CBS sports announcer who was master of ceremonies at the premiere, also appeared.

At noon today, key executives of Paramount and Max Fleischer were guests of honor at a civic luncheon at which the Mayor bid for further motion picture production in competition with Mayor LaGuardia of New York.

More than 200 civic leaders and officials gave Fleischer an ovation and applauded pledges that motion pictures will receive full cooperation from this Florida resort.

Paramount Chiefs Attend

Among Paramount notables at the luncheon were Stanton Griffis, chairman of the executive committee; Neil Agnew, vice-president in charge of production; Oscar Morgan, Southern division manager; Lou Diamond, manager of the short subjects department; Robert M. Gillham, director of publicity, advertising and exploitation; and S. A. Lynch, president of Paramount Enterprises, Miami theatre chain.

The celebration of the premiere got under way Saturday when 35,000 people jammed the business district to witness the arrival of "Gulliver," an eight-foot giant. Gulliver appeared at several Miami stores and then, along with Husing and Miami figures, judged Miami's first beauty contest in which the Chamber of Commerce picked a Princess of Lilliput and six ladies in waiting.

Ohio I. T. O. Combats Tums Money Award

COLUMBUS, O., Dec. 18.—The I.T.O. of Ohio plans to put into effect shortly a cooperative plan to combat the competition to theatre attendance caused by the Tums "Pot o' Gold" NBC program, which offers money to winning listeners.

Under the I.T.O. plan, each participating theatre will deposit with the organization an amount equal to three cents per seat. The fund will be used only for the purpose of paying to any radio winner who is in a participating threatre during the program double the amount of the air award.

Executives at Miami Premiere



This exclusive *Motion Picture Daily* wirephoto, transmitted from Miami last night, shows some of the prominent executives who attended the premiere of Max Fleischer's full length feature cartoon, "Gulliver's Travels." Seated, left to right—Stanton Griffis, Mrs. S. A. Lynch and S. A. Lynch. Standing, left to right—W. R. Lynch, Robert M. Gillham, Leonard Goldenson and Oscar Morgan.

"Gulliver's Travels"

[Fleischer-Paramount]

(*Continued from page* 1)

about those matters the hard way. The eyes of youth saw only what the eyes of the paying audiences saw, some seven million dollars worth.

The experts were quibbling and questioning about the same sort of things last night at the Village Theatre in Westwood, but your informant and his informant knew before the film was five minutes old on the screen that here was another box-office natural set for terrific grosses and as sure to thrill the world of entertainment seekers as anything a camera can produce.

We talked about it in detail afterward and my companion became very explicit. Although they are beside the point and completely irrelevant so far as the audience value of the picture is concerned, these are her observations:

"Gulliver" is a much more amusing picture than "Snow White," much stronger in comedy values. "Snow White" is a tenderer, sweeter picture, stronger in sentimental appeal. The musical numbers run neck and neck. The pictures are as different as any other two pictures and the fact that there now are two of them proves that other extremely important, and until now unestablished fact, that there can be as many more of them as there can be pictures in any medium.

I am able to report, on my own, that Messrs. Max and Dave Fleischer have supplied the art industry with a tremendous asset, a magnificent picture which is as bright and entertaining as any adult or child ought to be in the market for—a picture full of entertainment, an amusing picture, rich in invention, powerful in its ability to hold eye and ear, an altogether delectable screen experience.

Color, now practically in full command of the cartoon field, here tightens its hold. Ralph Rainger and Leo Robin, long headliners in the field of popular composition, add to their stature by their musical contributions to "Gulliver." So do Sam Timburg, Al Neiburg and Winston Sharpless. And it is more than likely that the voices of the unseen Jessica Dragonette and Lanny Ross, singing the love songs of the cartoon prince and princess, will gain fame and popularity apace as the film makes its way around the world. Victor Young's scoring of the picture is a triumph of brilliant consistency.

The running time is 77 minutes and the picture is appropriate—indeed mandatory, if I may say so—for exhibition everywhere to any and all kinds of audiences.

Yours very truly,

WILLIAM R. WEAVER

Goldwyn Cuts All Ties With United Artists

(*Continued from page* 1)

formation of James Roosevelt's production unit last week, Goldwyn said that his studio and production facilities would be made available to the former. His action to terminate his distribution contract with United Artists was begun early in 1938, when he expressed himself as being dissatisfied with the company's method of distributing bonuses to its producers on the basis of the business done by their individual pictures.

In a supplementary statement from the Goldwyn office, the producer stated that his one-fifth ownership in United Artists is not affected by the severance step, and that this action refers only to his U.A. releasing arrangement.

Goldwyn joined United Artists in 1925. He is one of the five present owners, the others being Mary Pickford, Charles Chaplin, Alexander Korda and the estate of the late Douglas Fairbanks, Sr.

Fairbanks Stock Must Be Offered Company First

If the one-fifth stock interest in United Artists owned by Douglas Fairbanks is to be disposed of by his estate it must be offered to the company first, Murray Silverstone, United Artists chief executive, said in reply to inquiries on his arrival from the Coast yesterday.

Silverstone explained that the Fairbanks stock in United Artists is owned by Fairbanks' personal holding company, the Elton Corp., of which Robert Fairbanks is president.

It is Silverstone's impression that this stock may be disposed of at the direction of Fairbanks' estate, in which case it must be offered first to United Artists. If acquired by the company it may be sold to new interests subsequently with the approval of stockholders.

There is no indication at this time of what eventual disposition will be made of the stock, Silverstone said.

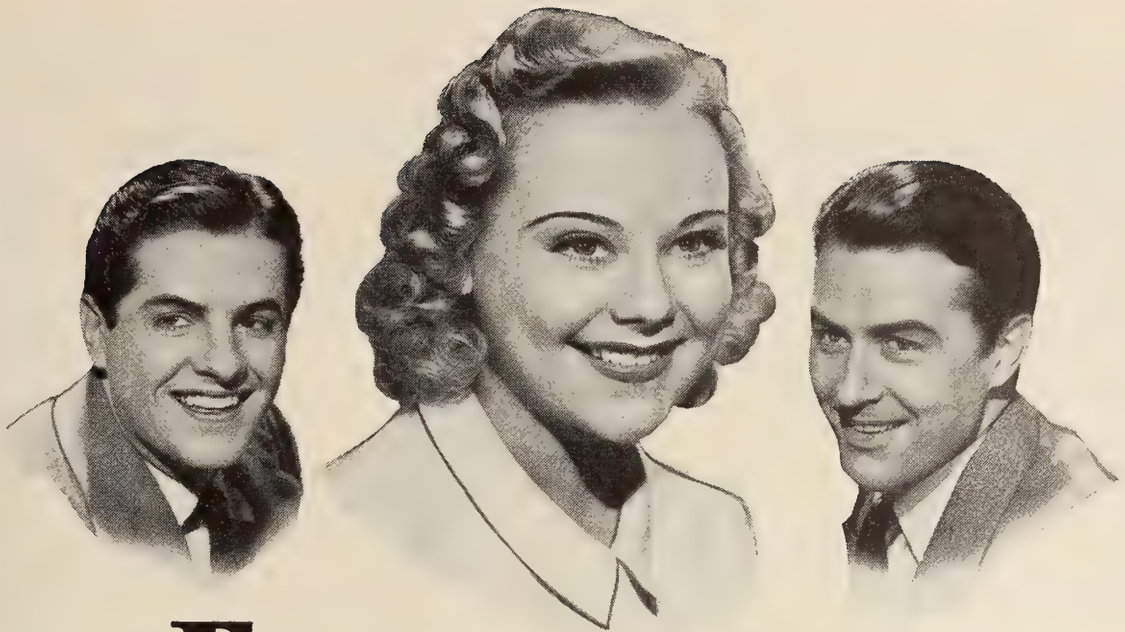
The United Artists' head spent three weeks on the Coast conferring with company producers and remained there to attend the services for Fairbanks last Friday. He also held preliminary conferences with prospective new producers for United Artists release, but said that negotiations had not reached a stage at which any statement could be made concerning them.

He was non-commital about inquiries concerning the possibility of James Roosevelt's new producing unit releasing through United Artists.

Silverstone was accompanied by members of his family and Harry D. Buckley, United Artists vice-president, who went to the Coast last week to attend the Fairbanks services.

Edwards on Tour

Sol Edwards, Grand National sales manager, will leave today for a tour of the company's eastern and mid-western exchanges to inform the sales force of new product plans and a sales drive contemplated for the near future. His tour will include Pittsburgh, Cleveland, Indianapolis, Chicago and Buffalo.





EVERYTHING HAPPENS AT NIGHT



topping Sonja Henie's previous hit at Roxy, New York, for sensational pre-Christmas business

and

HELD OVER

to cash in fully on the rich year-end takings!

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

'Ninotchka' Is Leader in L.A. With $30,100

LOS ANGELES, Dec. 18.—"Ninotchka" and "Bad Little Angel" led the field here with $30,100 at two houses, $14,100 at the Chinese and $16,000 at Loew's State.

Estimated takings for the week ending Dec. 13:

"Ninotchka" (M-G-M)
"Bad Little Angel" (M-G-M)
CHINESE—(2,500) (30c-75c) 7 days. Gross: $14,100. (Average, $12,500)
"Intermezzo" (U. A.)
4 STAR—(900) (40c-55c) 7 days. 5th week. Gross: $2,600. (Average, $3,250)
"That's Right, You're Wrong" (RKO)
"Scandal Sheet" (Col.)
HILLSTREET—(2,700) (30c-65c) 7 days. Gross: $9,500. (Average, $6,500)
"Ninotchka" (M-G-M)
"Bad Little Angel" (M-G-M)
LOEW'S STATE—(2,500) (30c-75c) 7 days. Gross: $16,000. (Average, $14,000)
"That's Right, You're Wrong" (RKO)
"Scandal Sheet" (Col.)
PANTAGES—(3,000) (30c-65c) 7 days. Gross: $9,200. (Average, $7,000)
"Tower of London" (Univ.)
PARAMOUNT—(3,595) (30c-65c) 7 days. Stage: F. & M. revue, Glen Gray & Casa Loma orchestra. Gross: $15,500. (Average, $15,000)
"We Are Not Alone" (W.B.)
"Private Detective" (W.B.)
WARNER BROS. (Hollywood)—(3,000) (30c-65c) 7 days. 2nd week. Gross: $7,300. (Average, $14,000)
"We Are Not Alone" (W.B.)
"Private Detective" (W.B.)
WARNER BROS. (Downtown) (3,400) (30c-65c) 7 days. 2nd week. Gross: $7,300. (Average, $12,000)

Providence Gives 'Williams' $6,500

PROVIDENCE, Dec. 18.—With Christmas shopping and a New England snow storm providing tough opposition, business slumped generally here, the Strand, with "The Amazing Mr. Williams" and "Miracle on Main Street" grossing $6,500, the only house to go above average.

Estimated takings for the week ending Dec. 12-14:

"Eternally Yours" (U. A.)
"Beware Spooks" (Col.)
LOEW'S STATE—(3,200) (25c-35c-50c) 7 days. Gross: $9,000. (Average, $11,000)
"Day-Time Wife" (20th-Fox)
"Inspector Hornleigh on Vacation" (20th-Fox)
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $6,500. (Average, $7,000)
"The Amazing Mr. Williams" (Col.)
"Miracle on Main Street" (Col.)
STRAND—(2,100) (25c-35c-50c) 7 days. Gross: $6,500. (Average, $6,000)
"That's Right; You're Wrong" (RKO)
"Three Sons" (RKO)
RKO ALBEE—(2,239) (25c-35c-50c) 7 days, 2nd week. Gross: $5,500. (Average, $6,000)
"The Return of Dr. X" (W. B.)
FAY'S—(1,800) (25c-35c-40c) 7 days. Stage show featuring Evelyn Wilson; Louis and the Oliver Sisters; Toy and Wing; Arthur and Morton Havel, and the Three Waltimers. Gross: $5,500. (Average, $6,500)
"Another Thin Man" (M-G-M)
"Those High Grey Walls" (Col.)
CARLTON—(1,526) (25c-35c-50c) 7 days, 2nd week. Gross: $2,500. (Average, $3,500)
"Babes In Arms" (M-G-M) (3 days)
"City In Darkness" (20th-Fox) (3 days)
"The Real Glory" (U. A.) (4 days)
"Coast Guard" (Col.) (4 days)
EMPIRE — (2,200) (20c-30c) 2nd run. Gross: $1,700. (Average, $1,700)
"Port of Shadows" (Film Alliance)
AVON—(519) (25c-35c) 7 days. Gross: $1,500. (Average, $1,000)

Lasky Due Next Month

Jesse L. Lasky, who left for the Coast by plane over the weekend, plans to return to New York early in January. He is negotiating for a new sponsor for his "Gateway to Hollywood" radio program.

Feature Reviews

"Days of Jesse James"

(Republic)

One of Roy Rogers' best westerns, lively and full of exploitation features, is his latest, "Days of Jesse James." Following the same sympathetic approach to the James boys as did the many pulp thrillers written about them, the story leaves Jesse and Frank alive at the end and apparently still in control of their gang.

This is a western with an excellent cast and a story with appeal for every lover of action films. It suggests the possibility of a whole series based on the lives of these boys, who looted the rich for the benefit of the poor.

Roy is commissioned by the bankers' association to apprehend Jesse, portrayed with considerable appeal by Donald Barry and Frank James (Michael Worth). Captain Worthington (Harry Woods) is another detective on their trail, but the latter's interest is primarily in the reward and to discredit Roy. When Jesse holds up a train, he purposely passes up a fortune being carried by Gabby (George Hayes) because it represents Gabby's lifetime earnings.

Later, Gabby deposits his money in a bank, but the banker steals the funds and blames the James boys. Roy joins up with the James gang and, after recovering the money, refuses to arrest Jesse and Frank.

Others in the cast worthy of special mention include Pauline Moore, Wade Boteler, Monte Blue, Fred Burns and Olin Howard. Joseph Kane produced and directed. Earle Snell wrote the screenplay from an original by Jack Natteford.

Running time, 63 minutes. "G."* EDWARD GREIF

"Judge Hardy and Son"

(M-G-M)

HOLLYWOOD, Dec. 18.—The mercurial Mickey Rooney swings through this sixth in the "Hardy Family" series with all his customary ebullience, although also experiencing the more sombre aspects of existence with the somewhat protracted illness of his mother, depicted, as previously, by Fay Holden.

Carey Wilson's original story and screenplay, based on the characters created by Aurania Rouverol, carry Mickey and the Judge, played with his usual understanding by Lewis Stone, through two family crises, one their own and one concerning an aged couple and their ungrateful daughter, as well as allowing for Mickey's usual experiments with the female temperament and financial matters.

Directed by George Seitz, the picture has, as well as Cecilia Parker as the family daughter, such fine character actors as Maria Ouspenskaya and Henry Hull rounding out the cast.

Running time, 89 minutes. "G."* WALTER SELDEN

** "G" denotes general classification.*

'Thin Man' $8,300 Cincinnati Leader

CINCINNATI, Dec. 18.—"Another Thin Man," in its second week at the RKO Capitol, plus a personal appearance of Ann Rutherford for two days, grossed $8,300. "Day-Time Wife" drew $10,500 at the RKO Palace.

Estimated takings for the week ending Dec. 14-16:

"Rulers of the Sea" (Para.)
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $9,200. (Average, $12,000)
"Day-Time Wife" (20th-Fox)
RKO PALACE—(2,700) (35c-42c) 7 days. Gross: $10,500. (Average, $10,000)
"Jamaica Inn" (Para.)
RKO SHUBERT—(2,150) (35c-42c) 7 days, 2nd week. Gross: $6,800. (Average, $10,000)
"Another Thin Man" (M-G-M)
RKO CAPITOL—(2,000) (35c-42c) 7 days, 2nd week. Stage: Ann Rutherford, Saturday and Sunday. Gross: $8,300. (Average, $6,500)
"Allegheny Uprising" (RKO)
RKO LYRIC—(1,400) (25c-40c) 7 days. Gross: $3,200. (Average, $5,000)
"Torture Ship" (Prod. Dist. Corp.)
"Missing Evidence" (Univ.)
RKO FAMILY—(1,000) (15c-25c) 3 days. Gross: $1,200. (Average, $1,500)
"Three Sons" (RKO)
"The Marshall of Mesa City" (RKO)
RKO FAMILY—(1,000) (15c-25c) 3 days. Gross: $1,000. (Average, $900)
"The Amazing Mr. Williams" (Col.)
KEITH'S—(1,500) (30c-40c) 7 days. Gross: $5,100. (Average, $6,000)

'Eternally' Grosses $5,900, New Haven

NEW HAVEN, Dec. 18.—"Eternal Yours" and "The Return of Dr. X" at the Roger Sherman took $5,900. All other downtown business was off.

Estimated takings for the week ending Dec. 15:

"Another Thin Man" (M-G-M)
"The Honeymoon's Over" (20th-Fox)
COLLEGE—(1,499) (35c-50c) 7 days, 2nd week. Gross: $2,700. (Average, $2,700)
"The Housekeeper's Daughter" (U. A.)
"Full Confession" (RKO)
LOEW-POLI—(3,040) (35c-50c) 7 days. Gross: $7,500. (Average, $8,000)
"The Night of Nights" (Para.)
"One Hour to Live" (Univ.)
PARAMOUNT—(2,348) (35c-50c) 7 days. Gross: $3,300. (Average, $4,000)
"Eternally Yours" (U. A.)
"The Return of Dr. X" (W. B.)
ROGER SHERMAN—(2,200) (35c-50c) 7 days. Gross: $5,900. (Average, $5,000)

Club Names Committee

OKLAHOMA CITY, Dec. 18.—Directors of the local Variety Club have named the following committee to pass on the eligibility of new members: C. B. Akers, Ernest Fair, Tom B. Reed, Walter Wortham and C. A. Gibbs.

Only Average Grosses for Denver Films

DENVER, Dec. 18.—With most first runs around average, "Another Thin Man" and "Meet Dr. Christian" were big at the Orpheum, and "Geronimo" was good at the Denham for a second week at this time of the year, even though below average.

Total first run business was $36,500. Average is $35,750.

Estimated takings for the week ending Dec. 13:

"Eternally Yours" (U.A.)
ALADDIN—(1,400) (25c-40c) 7 days, after a week at the Denver. Gross: $3,000. (Average, $3,500)
"Ninotchka" (M-G-M)
"Sued for Libel" (RKO)
BROADWAY—(1,040) (25c-35c-40c) 7 days, after a week at the Broadway. Gross: $2,000. (Average, $2,500)
"Geronimo" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days, 2d week. Gross: $5,000. (Average, $6,500)
"Private Lives of Elizabeth and Essex" (W.B.)
DENVER—(2,525) (25c-35c-40c) 7 days. Gross: $9,000. (Average, $9,000)
"Another Thin Man" (M-G-M)
"Meet Dr. Christian" (RKO)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $12,000. (Average, $9,000)
"Intermezzo" (U.A.)
"King Nightengale" (W.B.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $3,500. (Average, $3,500)
"Daytime Wife" (20th-Fox)
"Beware, Spooks" (Col.)
RIALTO—(878) (25c-40c) 7 days. "Wife" after a week at each the Denver and Aladdin. Gross: $2,000. (Average, $1,750)

'Day-Time' Garners $6,800, Milwaukee

MILWAUKEE, Dec. 18.—Best bill in a dull week was "Day-Time Wife" and "Remember?" with $6,800 at Fox's Wisconsin. Only other house to clear par was the Strand where "Barricade" and "20,000 Men a Year" collected $3,000 in eight days.

Estimated takings for the week ending Dec. 12-14:

"Day-Time Wife" (20th-Fox)
"Remember" (M-G-M)
WISCONSIN—(3,200) (25c-35c-50c) 7 days. Gross: $6,800. (Average, $5,500)
"Barricade" (20th-Fox)
"20,000 Men a Year" (20th-Fox)
STRAND—(1,400) (25c-35c-50c), 8 days. Gross: $3,000. (Average, $1,500)
"Cat and the Canary" (Para.)
"Rulers of the Sea" (Para.)
PALACE—(2,400) (25c-35c-50c) 7 days, 2nd week. Gross: $4,000. (Average, $4,000)
"Tower of London" (Univ.)
"Intermezzo" (U. A.)
WARNER—(2,400) (25c-35c-50c) 6 days. Gross: $4,000. (Average, $4,500)
"Scandal Sheet" (Col.)
RIVERSIDE—(2,700) (25c-30c-35c) 7 days. Stage: "Hellzafire." Gross: $6,500. (Average, $6,500)

Three Firms Chartered

ALBANY, Dec. 18.—Recent firm incorporations here included: Jubilee Pictures Corp., by Murray L. Karp, Lillian Isaacs and Joan Kaufman, New York; Witt Amusement Corp., by William B. Dessner, M. E. Ross and Shirley Schachtel, New York, and Ruth Theatres, Inc., Schenectady, by Sam E. Rosenblatt and Ruth C. Rosenblatt.

Second Welles for RKO

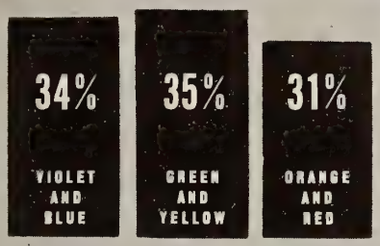
HOLLYWOOD, Dec. 18. — Orson Welles, who will produce "Heart of Darkness" for RKO, also will make "The Smiler with the Knife," English novel by Nicholas Blake.

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A GLANCE AT THE FIGURES BELOW WILL SHOW WHY MORE THAN ONE THIRD OF THE THEATERS IN THIS COUNTRY HAVE ADOPTED HIGH INTENSITY PROJECTION

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VOLUME OF SCREEN LIGHT 2.7:1



Simplified High Intensity projection provides 2.7 times the volume of screen illumination obtained from low intensity lamps. This gives a clear screen image at a comfortable level of general illumination.

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Seattle Slips As Weather, Holiday Hurt

SEATTLE, Dec. 18.—Stormy weather and the pre-holiday season took their toll of local grosses, with no theatre passing average. "Destry Rides Again" and "Meet Dr. Christian" came close with $5,800 at the Paramount.

Estimated takings for the week ending Dec. 15:

"That's Right; You're Wrong" (RKO)
"Three Sons" (RKO)
BLUE MOUSE—(950) (25c-40c-55c) 7 days, 2nd week. Gross: $3,100. (Average, $4,000)
"Ninotchka" (M-G-M)
"Dancing Co-Ed" (M-G-M)
FIFTH AVENUE—(2,500) (25c-40c-55c) 7 days, 2nd week. Gross: $5,900. (Average, $7,000)
"Mr. Smith Goes To Washington" (Col.)
LIBERTY—(1,800) (25c-40c-55c) 7 days, 6th week. Gross: $3,900. (Average, $5,000)
"Another Thin Man" (M-G-M)
"Bad Little Angel" (M-G-M)
MUSIC BOX—(950) (25c-40c-55c) 7 days. 3rd week. Gross: $3,600. (Average, $4,000)
"Allegheny Uprising" (RKO)
"Sued for Libel" (RKO)
ORPHEUM — (2,450) (25c-40c) 7 days. Gross: $4,400. (Average, $6,000)
"Return of Dr. X" (W. B.)
"Covered Trailer" (Rep.)
PALOMAR—(1,500) (15c-25c-40c) 7 days. Stroud Twins in person on stage. Gross: $4,500. (Average, $5,000)
"Destry Rides Again" (Univ.)
"Meet Dr. Christian" (RKO)
PARAMOUNT—(3,050) (25c-40c) 7 days. Gross: $5,800. (Average, $6,000)

'Each Dawn' Hits $6,800, Montreal

MONTREAL, Dec. 18.—"Each Dawn I Die" registered $6,800 at the Capitol, while "Rulers of the Sea" grossed $5,200 at Loew's.

Estimated takings for the week ending Dec. 15:

"Each Dawn I Die" (W. B.)
CAPITOL—(2,547) (25c-40c-55c-65c) 7 days. Gross: $6,800. (Average, $8,000)
"Our Fighting Navy" (British)
HIS MAJESTY—(1,700) (30c-50c) 2 extra days. Gross: $700. (Average for week, $2,500)
"Rulers of the Sea" (Para.)
LOEW'S — (2,800) (30c-40c-60c) 7 days. Gross: $5,200. (Average, $8,000)
"The Housekeeper's Daughter" (U. A.)
"The Man Who Dared" (Para.)
ORPHEUM—(919) (25c-35c-50c) 7 days, 2nd week. Gross: $2,200. (Average, $5,000)
"The Lion Has Wings" (U. A.)
PALACE—(2,600) (25c-40c-55c-65c) 7 days, 2nd week. Gross: $5,800. (Average, $10,000)
"20,000 Men A Year" (20th-Fox)
"Little Accident" (Univ.)
PRINCESS — (2,272) (25c-35c-50c-65c) 7 days. Gross: $3,000. (Average, $6,000)

China to Produce 100 Films in Year

WASHINGTON, Dec. 18.—It is estimated that about 100 features will be produced in China by the end of the year, which compares with about 50 in 1938, according to a report to the U. S. Department of Commerce from John H. Bruins, American Consul in Hong Kong. Domestic features are said to cost only about $2,000 to produce.

The Hong Kong censor, more lenient than most, in the first nine months of 1939 reviewed 225 American films and 128 native.

Acquire Irish Feature

Guaranteed Pictures has acquired the American distribution rights to "In the Footsteps of St. Patrick," three-reel subject produced by Robert Hayward in Ireland.

Theatre, Personnel Notes

Chakeres Acquires Two

SPRINGFIELD, O., Dec. 18.—Chakeres Theatres has acquired operation of the Board and Regent in St. Marys, effective Jan. 1, from Tom Broad, owner of the theatres, who is retiring from the business.

Open Detroit Theatre

DETROIT, Dec. 18.—The new 2,000-seat Harper, Wisper & Wetsman unit constructed at a cost of $200,000, has opened here.

Lamont in Charlotte

Jack Lamont, former district manager for Grand National in the South, has been appointed manager of Monogram's Charlotte exchange, replacing M. L. Stevens.

Reopen Frisco Circle

SAN FRANCICO, Dec. 18.—Recently converted into a newsreel house, the Circle has reopened downtown with a one-hour program of international events and short subjects. The bill is changed weekly.

Open Oakland Downtown

OAKLAND, Cal., Dec. 18.—The new Downtown was opened recently with typical Hollywood fanfare. The house is owned and operated by M. Michel and Rene LaMarre.

Close Upstate Houses

ALBANY, Dec. 18.—Mrs. David Rosenbaum has closed the Capitol, Elizabethtown, N. Y., for the Winter. Harry Lamonte, who operates the eight-house Lamonte Circuit in this territory, is closing Odd Fellows Hall, Berlin, N. Y., for the Winter.

Warner Theatres Changes

NEW HAVEN, Dec. 18.—Warner Theatres has shifted Merrick Lyons, assistant at the Empress, Danbury, to manager at the Rialto, South Norwalk, while A. Montefalco returns as assistant manager of the Commodore Hull, Derby. Jay O'Sullivan moves to the Empress, Danbury.

Plan New Chicago House

CHICAGO, Dec. 18.—Ground will be broken next month for a $100,000 theatre in the Morgan Park area. The William L. Gregson estate has signed a 20-year lease with Gollos Brothers for a 1,000-seat theatre, all on the South Side.

Reopen Cincinnati Mayfair

CINCINNATI, Dec. 18.—The 400-seat Mayfair will open Christmas Day with the French film, "Ballerina," for a short season of foreign films. J. Ebersole Crawford will have charge of the house.

Form Theatre Company

CINCINNATI, Dec. 18.—The Empress Amusement Co. has been incorporated here to continue operation of the 600-seat neighborhood Empress, subsequent run.

Opens Oklahoma House

OKLAHOMA CLTY, Dec. 18.—Charles Hudgens, recently associated with the Theatre Poster Service here has reopened the Erick at Perkins, Okla.

$100,000 Theatre for Denver

DENVER, Dec. 18.—A $100,000 1,000-seat, stadium-type theatre will be built on Colfax Ave. by J. J. Goodstein, veteran theatre operator, with construction starting in the Spring. Owning the entire block, Goodstein will use the remainder for parking.

Goodstein is also spending $10,000 on a remodeling, reseating and modernization job at the Bideawee on W. Colfax, which he recently leased for 10 years. This will be ready for opening by Christmas.

Reopening Colorado House

DENVER, Dec. 18.—G. W. Hermes is reopening the Bayfield at Bayfield, Colo.

Building in Galveston

GALVESTON, Tex., Dec. 18.—Martini Theatre Enterprises plan a new suburban house here to seat 750, and a full block of ground with free parking space to accommodate 300 cars.

Plan New Dallas House

DALLAS, Dec. 18.—Work will begin at once on a new $50,000 theatre building for P. G. Cameron. The new house will seat 750.

Start Port Arthur Theatre

PORT ARTHUR, Tex., Dec. 18.—Work has started on the new Sabine here for Sam Hyman. It will seat 800.

Harry Levy Joins 20th-Fox

Harry Levy has joined the 20th Century-Fox exchange in Omaha as salesman. He will cover the zone handled by Bob Berke, who resigned a month ago. L. D. Coggin has taken charge of the ad sales department in Calgary, succeeding Cyril Davies.

Griffith Promotions

KANSAS CITY, Dec. 18. — Stanley Gartside, assistant manager of the Griffith-Dickinson Theatres, Inc., at Manhattan, Kas., has been named manager of the Osage at Osage City, Kansas. He succeeds Sam Carr, resigned. Gartside is succeeded at Manhattan by Barnes Perdue, formerly assistant manager at Independence, Kas., for the circuit.

Burton Operates Eagle

Burton Amusement Corp., of which Lou Greifer is president, is the new operator of the Eagle, Brooklyn.

Cohen Acquires Liberty

Max J. Cohen has acquired the Liberty, Liberty, N. Y.

Reopening Newark House

The Kent in Newark, formerly the Palace, will be reopened on Christmas Day by Dave Kaplan and Sam and Marcus Sobelson.

Cuming M-G-M Booker

Robert Cuming, Jr., son of the late New Jersey salesman for M-G-M, has been appoined assistant booker for the company in Cincinnati, succeeding Harold Schlager. John Freinstein has been promoted to assistant booker in Pittsburgh.

Wuerz Milwaukee Manager

Charles Wuerz is the new manager of the Fox Palace, Milwaukee. He formerly was with Fox West Coast and earlier with Loew's.

'Elizabeth' Is Loop Leader With $33,400

CHICAGO, Dec. 18.—"Elizabeth and Essex" at the Chicago topped the Loop with $33,400. "Eternally Yours" at the Roosevelt took $12,600.

Estimated takings for the week ending Dec. 13-16:

"Mr. Smith Goes To Washington" (Col.)
APOLLO—(1,400) (25c-55c-75c) 7 days, 5th week. Gross: $7,700. (Average, $6,000)
"Elizabeth and Essex" (W. B.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Vaudeville Revue. Gross: $33,400. (Average, $32,000)
"Drums Along the Mohawk" (20th-Fox)
GARRICK — (900) (35c-40c-65c) 7 days. Gross: $4,600. (Average, $5,000)
"Pack Up Your Troubles" (20th-Fox)
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: Lillian Roth Revue. Gross: $14,000. (Average, $13,000)
"Tower of London" (Univ.)
"Three Sons" (Radio)
PALACE — (2,500) (35c-55c-75c) 7 days. Gross: $12,600. (Average, $12,000)
"Eternally Yours" (U.A.)
ROOSEVELT — (1,300) (35c-55c-75c) 7 days. Gross: $11,500. (Average, $11,000)
"Espionage Agent" (Para.)
STATE-LAKE — (2,700) (25c-35c-40c) 7 days. Stage: Anson Weeks Band. Gross: $16,400. (Average, $12,000)
"Ninotchka" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 2nd week. Gross: $12,800. (Average, $14,000)

'Ninotchka' Scores $18,000 in St. Louis

ST. LOUIS, Dec. 18.—"Ninotchka" drew a fine $18,000 for eight days at the Loew's State.

Estimated takings for the week ending Dec. 14:

"Ninotchka" (M-G-M)
LOEW'S STATE—(3,162) (25c-40c-55c) 8 days. Gross: $18,000. (Average, $13,000)
"Rulers of the Sea" (Para.)
"What A Life" (Para.)
FOX—(5,038) (25c-40c-55c) 7 days. Gross: $6,800. (Average, $11,000)
"Barricade" (20th-Fox)
"Meet Dr. Christian" (20th-Fox)
AMBASSADOR — (3,018) (25c-40c-55c) 7 days. Gross: $7,000. (Average, $11,500)
"We Are Not Alone" (W. B.)
"That's Right; You're Wrong" (RKO)
MISSOURI—(3,514) (25c-40c-55c) 7 days. Gross: $4,400. (Average, $4,000)

'Williams' Omaha's Leader with $5,100

OMAHA, Dec. 18.—"Amazing Mr. Williams" pulled $5,100 at the Brandeis for the best of a slow week.

Estimated takings for the week ending Dec. 14-15:

"Amazing Mr. Williams" (Col.)
"Three Sons" (RKO)
BRANDEIS—(1,200) (25c-35c-40c) 7 days. Gross: $5,100. (Average, $4,000)
"Private Lives of Elizabeth and Essex" (W. B.)
"Pride of the Bluegrass" (W. B.)
OMAHA—(2,200) (25c-40c) 6 days. Gross: $6,800. (Average, $6,000)
"Remember" (M-G-M)
"Bad Little Angel" (M-G-M)
ORPHEUM — (3,000) (25c-40c) 7 days. Gross: $7,600. (Average, $7,600)
"Another Thin Man" (M-G-M)
"Day-Time Wife" (20th-Fox)
PARAMOUNT—(3,000) (25c-40c) 7 days. 2nd week. Gross: $4,500. (Average, $6,000)

Club Fetes War Vets

PITTSBURGH, Dec. 18.—The local Variety Club entertained 50 patients of the Vepinwall Veterans' Hospital at a boxing card in Duquesne Garden. The Garden is managed by John H. Harris, national Variety Club president and operating head of the Harris Amusement Co.

British Quota Stays Till Fall —Boardman

The present British quota against American films will probably continue until November, 1940, concurrently with the recently promulgated restrictions on the export of film currency, which are in force for one year, according to Dixon Boardman, a director of Gaumont British Picture Corp., Ltd. The quota under the Films Act had been enacted last March for one year.

Boardman, who arrived last week from London, is here to explore the possibilities of television development for Baird Television Corp., a subsidiary of Gaumont British. The company has ceased its television activities in England except on a small experimental basis and plans to remove its major operations to the United States. Baird has been placed in receivership as a means of conserving assets and scaling down debts.

Boardman said that Great Britain has definitely determined to retain the film quota so as not to lose out on production after the war, but that the quota would probably be modified when it comes up in Parliament next year.

Theatre business in England, as gauged by the experience of the Gaumont British circuit of about 330 houses, is better than 90 per cent of last year's gross at this period, Boardman said. There is a 50 per cent loss in the London area, which accounts for 25 per cent of the British gross, but, on the other hand, there has been a three or four per cent gain in the rest of England. Theatres other than the large chains may not have experienced this gain, Boardman added.

The shortage of players and the uncertainty of the course of the war has barred the resumption of large-scale production in England, but otherwise there are sufficient facilities and technical staffs, Boardman said. He pointed out that Hollywood actors could not be expected to go to England during the war and that this is the chief problem.

Boardman said that under the present situation it may be expected that the situation with relation to the 43 per cent ownership of 20th Century-Fox and M-G-M in the Metropolis & Bradford Trust, holding company of Gaumont British, would remain in status quo, and that the purchase of controlling interest by the American principals would not be feasible at this time.

Virginia Meeting Jan. 18

RICHMOND, Va., Dec. 18.—William F. Crockett, president of the M. P. T. O. of Virginia, has named the following nominating committee for the Winter convention on Jan. 18: Herman Rubin, chairman; Allen Sparrow, A. E. Lichtman, Ellison Loth, Sydney Gates and Elmore Heins.

Plan Negro Film Series

International Road Shows will release 12 Negro productions, three to be made by Jubilee Pictures at Seiden Studios in Palisades, N. J., and nine by Bert Goldberg-Port, Inc., in Hollywood.

Court Frees Traub Of Lottery Charge

Special Sessions Court in Brooklyn yesterday dismissed a lottery charge against Morris Traub, manager of the Tivoli, Randforce theatre, on the ground that it was not necessary to purchase an admission to participate in Screeno.

This was considered in the nature of a test case. The three-judge court decided this case on the same grounds as the prosecutions of several similar cases which are pending, including People vs. May, which was remanded for a new trial by the Appellate Division of the N. Y. Supreme Court last week.

In view of this decision, attorneys believe that the pending cases brought by the district attorney will be thrown out of court. Melvin Albert of Weisman, Celler, Quinn, Allan & Spett represented the defendants.

'Ninotchka' Gives Pittsburgh $21,000

PITTSBURGH, Dec. 18.—Despite seasonal shopping, "Ninotchka" grossed $21,000 in eight days at Loew's Penn.

Estimated takings for the week ending Dec. 14:

"Destry Rides Again" (Univ.)
ALVIN—(1,900) (25c-35c-50c) 7 days, 2nd week. Gross: $7,500. (Average, $8,000)
"The Flying Deuces" (RKO)
FULTON—(1,700) (25c-40c) 9 days. Gross: $4,700. (Average, 7 days, $5,000)
"Ninotchka" (M-G-M)
LOEW'S PENN—(3,600) (25c-35c-50c) 8 days. Gross: 21,000. (Average, $13,000)
"Barricade" (20th-Fox)
SENATOR — (2,000) (25c-40c) 7 days. Gross: $2,100. (Average, $3,800)
"Disputed Passage" (Para.)
STANLEY — (3,600) (25c-40c-60c). On stage: Jimmy Dorsey's band, Betty Bruce, Bob Eberle. 7 days. Gross: $18,500. (Average, $17,000)
"Another Thin Man" (M-G-M)
WARNER—(2,000) (25c-35c-50c) 8 days, 2nd week. Gross: $4,500. (Average, $5,000)

21 Films Currently In Work in Reich

WASHINGTON, Dec. 18.—Early in November, 21 features were in work in German studios, according to reports to the U. S. Department of Commerce. Of these, 15 were being made in Berlin, two in Vienna, one each in Munich and Prague and two were on outdoor locations.

German women are being trained to operate projection machines. Many theatres have advanced the time of evening performances to avoid late closing, in view of curtailed bus and street car service.

Denies Writ to Halt St. Louis Picketing

ST. LOUIS, Dec. 18.—A petition of the Fanchon & Marco Service Corp. and the St. Louis Amusement Co. for a temporary injunction to restrain the Motion Picture Machine Operators' Union, Local 143, from picketing the Fox theatre and other movie houses operated by the companies was denied today by Circuit Judge Nolte in the Clayton Circuit Court.

Warner Party Today

NEW HAVEN, Dec. 18.—Warner Theatres will play host to its New England zone managers, all exchange managers and bookers in the film district Tuesday at Baybrook Inn.

Wisconsin Pastor Hits Church Bingo

Appleton, Wis., Dec. 18.—Church Bingo was criticized in a sermon here by Dr. Harry C. Culver, pastor of First Methodist Church, who declared that anti-gambling laws should be enforced first against churches, "for they are under special obligation to obey law, and that law in particular."

Dr. Culver stamped as "odious and vicious" gambling for a good cause, contending that "those who gamble in the interest of benevolence are none the less gamblers.'

Legion Approves Nine New Pictures

The National Legion of Decency has approved nine of the 11 films reviewed for the current week, seven for general patronage and two for adults. Two films have been classified as objectionable in part. The new films and their classifications follow:

Class A-1, Unobjectionable for General Patronage: "Emergency Squad," "Escape to Paradise," "Everything Happens at Night," "Westbound Stage," "Gulliver's Travels," "Nick Carter, Master Detective," "South of the Border." Class A-2, Unobjectionable for Adults: "Citadel of Silence," "Balalaika." Class B, Objectionable in Part: "Cafe Hostess," "Lambeth Walk."

Film Measure Veto Upheld in Illinois

SPRINGFIELD, Ill., Dec. 18.—The veto some time ago by Governor Horner of the measure which would limit the time of film shows to two hours and 15 minutes, was upheld in effect by the State Supreme Court.

The court held that the governor has 10 days to act upon legislation approved by the General Assembly regardless of whether he received it after adjournment of the legislature. The ruling involved writs of mandamus concerning two bills, which, with 39 others, were vetoed by the governor after expiration of 10 days from the sine die adjournment of the Assembly.

January Roadshow Set for 'Blue Bird'

"The Blue Bird," starring Shirley Temple, will be roadshown in New York and probably Boston, Detroit and San Francisco on a two-a-day basis beginning in January. Negotiations are on for theatres, including the Hollywood on Broadway.

The roadshow engagements were set at studio conferences last week attended by home office executives. Publicity and advertising plans are being prepared by Charles E. McCarthy.

Child Show at Museum

Special holiday program of children's films, produced by George Melies about the turn of the century, are being held daily at 11 A. M. at the Museum of Modern Art, continuing through Jan. 6. Pictures comprising the program are: "The Conjurer," "A Trip to the Moon," "The Palace of the Arabian Nights," "The Doctor's Secret" and "Conquest of the Pole."

Heywood Broun's Rites Tomorrow

Funeral services for Heywood Broun, 51, who died of pneumonia yesterday, will be held tomorrow at 10 A.M. at St. Patrick's Cathedral. Msgr. Fulton J. Sheen will officiate.

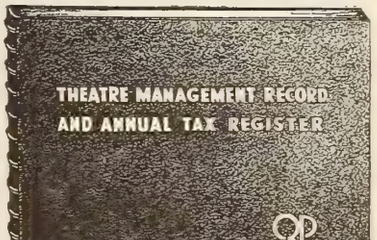
Yesterday Mutual cancelled the radio program, "Author, Author!" in which Broun participated each Monday evening at 8 P.M., and instead John Chapman, columnist, who appeared with Broun on the program read a brief eulogy. The remainder of the program was devoted to chamber music.

Broun, a sports writer, dramatic critic, war correspondent and founder of the American Newspaper Guild, became a columnist with the old *New York World* in 1921. In 1928, he joined the *Telegram,* later the *World-Telegram.* Last week, he severed his connections with the *World-Telegram* and joined the *Post,* his first column in that paper appearing Friday.

He is survived by his wife, Constantina Broun, his mother, Henrietta Brose Broun, his son, Heywood Hale Broun, a sister, Virginia Herbert, and a brother, Irving S. Broun.

Bernhard Visits Zones

Joseph Bernhard, general manager of Warner theatres, left last night for Cleveland where he will meet with zone managers. Tonight he leaves Cleveland for New Haven, also to confer with local zone managers returning to New York, tomorrow night. Bernhard is accompanied by Harry Goldberg, director of advertising and publicity for Warner theatres.



NEW!

Theatre Bookkeeping System Expressly Devised for the Exhibitor. No Accounting Experience Necessary

THEATRE MANAGEMENT RECORD AND ANNUAL TAX REGISTER

■ **Individual sections for all operating data. Full tax information readily available.**

$2.00 Postpaid

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER, NEW YORK

'Wind' to Capture Broadway Tonight

(*Continued from page* 1)

papers and national magazines, as well as critics, were present.

Victor Fleming, director of the film, is due today from the Coast by plane to attend the opening.

Among the distinguished persons who have made reservations are the following:

George Abbott, Mr. and Mrs. John Abbott, Mr. and Mrs. Winthrop Aldrich, Mr. and Mrs. James D. Altemus, Mr. and Mrs. Richard Aldrich, Mr. and Mrs. Fred Allen, George Armsby, M. W. Aylesworth, Dr. and Mrs. Agha, Col. Julius Ochs Adler, John Jacob Astor, Mrs. William de Wilder Atkinson, M. H. Aylesworth.

Jules Bache, Bernard Baruch, Suzanne Brewster, Mrs. Young Bacon, Robert O. Bacon, Jr., Mr. and Mrs. Arthur (Bugs) Baer, Mr. and Mrs. John Baragwanath, Mr. and Mrs. James Barrett, Mr. and Mrs. Philip Barry, Charles Baskerville, Robert Benchley, Ann Benkhart, Constance Bennett, Mr. and Mrs. Irving Berlin, Paul Block, Mrs. Potter Bourne, Mr. and Mrs. Robert Brandt, Joseph W. Brooks, Mr. and Mrs. Joseph Bryan, III., Mr. and Mrs. David Bruce, Joan Bennett, Mr. and Mrs. George Backer, Mr. and Mrs. S. N. Bahrman Mr. and Mrs. Monroe Block, Mr. and Mrs. Lucius Boomer, Charles A. Burden, James Burden, Mr. and Mrs. Harold W. Brooks, William Brandt, Paul Blumenthal, Barney Balaban, Dr. George Baehr, Nathan Blumberg, George Brett, Jr., Henry Barclay, Jr., Julian Bache, Michael Bartlett, Mr. and Mrs. Julien Chaqueneau, Ina Claire, Mrs. Cameron Clark, Mr. and Mrs. J. Averell Clark, William Corum, Mr. and Mrs. William S. Cowles, Mr. and Mrs. Richard Croft, Mr. and Mrs. James H. R. Cromwell, Mr. and Mrs. Edward P. Curtis, Miss Caludette Colbert, Marc Connelly, Mr. and Mrs. Frank Chapman, Mr. and Mrs. Ward Cheney, Mr. and Mrs. Frank Crocker, Mrs. D. F. Cox, Jr., Mr. and Mrs. Edward Churchill, John Clark Margaret Case, Edna Chase, Laura Hope Crews, Mr. and Mrs. Parnell Crosley.

Olivia de Havilland, Countess di Frasso, Mr. and Mrs. Howard Dietz, Mr. and Mrs. Lewis W. Douglas, Edwin Duchin, John Durant, Mrs. John Durant, Alfred deLiagre, Jr., Duc de Verdura, Larry Doyle, Mrs. Jesse Woolworth Donohue, Clarence Dillon, Thomas E. Dewey, John Van Druten. Mrs. Jack Dempsey, Countess de Mum.

Jules Glaenzer, Mr. and Mrs. William Gaetz, Mr. and Mrs. Stanton Griffis, Mr. and Mrs. Raymond Guest, Mr. and Mrs. Winston Guest, Mr. and Mrs. Harold Guinzberg, William Gaston, Mr. and Mrs. John Gunther, E. Ray Goetz, Mr. and Mrs. Artemus L. Gates, William Greeves, Bernard Gimbel, Oliver H. P. Garrett, Mr. and Mrs. S. Maitland Goldsmith, Mr. and Mrs. Adam Gimbel.

Mr. and Mrs. Pierpont Morgan Hamilton, Mr. and Mrs. Alexander Hamilton, Moss Hart, Laura Harding, Mr. and Mrs. Richard B. W. Hall, Mr. and Mrs. Wm. Averell Harriman, Adele Hay, Mr. and Mrs. Clarence Hay, John Jay, Mrs. Wm. Randolph Hearst, Millicent Hearst, Mr. and Mrs. Wm. Randolph Hearst, Jr., Mr. and Mrs. Marshall Heminway, Mr. and Mrs. John Heminway, Mr. and Mrs. Barklie McKee Henry, Mr. and Mrs. John Hertz, Mr. and Mrs. Thos. Hitchcock, Jr., Mr. and Mrs. Will Hays. Fannie Hurst, Mr. and Mrs. Ben Hecht, Leland Hayward Herbert Hoover, Joseph Hazen, Mr. and Mrs. Walter Hochschild, Milton W. Holden, Mr. and Mrs. Benjamin D. Holt, Mrs. Sidney Howard, Katharine Hepburn, Mr. and Mrs. Jascha Heifetz, Aida Iglehart, Mr. and Mrs. Stewart Iglehart, Mrs. Raymond Ives, Mr. and Mrs. Wm. Harding Jackson, Everett Jacobs.

Mr. and Mrs. Donald Klopfer, Dr. and Mrs. Herbert T. Kalmus, Mr. and Mrs. George S. Kaufman, Mr. and Mrs. Richard A. Kimball, Mr. and Mrs. Arthur Krock, Edward Klauber, Mrs. Edward Klauber. William Klein, Gilbert Kahn, Sidney Kent.

Vivien Leigh, James Leslie, Mr. and Mrs. William Laughlin, Mr. and Mrs. Thomas I. Laughlin, Mr. and Mrs. Robert Lehman, Warren Leslie, Jr., Mrs. Scales Leslie, Frederick Lonsdale, Mr. and Mrs. William G. Lord, Mr. and Mrs. Lawrence W. Lowman, Mr. and Mrs. Henry R Luce, Mr. and Mrs. Nicholas S. Ludington, Charles Lederer, Mr. and Mrs. Gaston Lauryssen, Mr. and Mrs. Seton Lindsay, Elmer G. Leterman, George S. Lewis. Leo Lubin.

Mr. and Mrs. Charles MacArthur, John McClain, Alistair McIntosh, Mr. and Mrs. Fredric March, Mr. and Mrs. John Marsh, Miss Elsa Maxwell, Mr. and Mrs. Gilbert Miller, Mr. and Mrs. Richard Myers, Mary Morrissey, Mr. and Mrs. G. Macculloch Miller, Mr. and Mrs. Joe Mielziner, Adelaide Moffett, Kay Mills, Mr. and Mrs. Charles Marshall, Mr. A. J. McCosker, Miss Ona Munson, Charles Merz, Mrs. O. O. McIntyre, Mr. and Mrs. Stuart McNamara, Mr. and Mrs. Donald Mixsell, J. P. Morgan, Howard Morgan, Alfred J. McCosker, Herbert Maas, Thomas Mann, Burgess Meredith, Mrs. Minzesheimer, William S. Miller.

Conde Nast, Mr. and Mrs. Bradford Norman, Jr., Mrs. S. Nayfack, Bertram Nayfack, Prince George Obolensky, Mr. and Mrs. Joy O'Brien, Laurence Olivier, Mr. and Mrs. Herman Oelrichs, John Otterson, Mr. and Mrs. Valentin Perera, Mr. and Mrs. William S. Paley, Mr. and Mrs. John Payson, Mr. and Mrs. C. S Payson, Mr. and Mrs. Ogden Phipps, Mr Morehead Patterson, Mr. and Mrs. Cole Porter, Mr. and Mrs. Fred A. Potts, Bruce Powell, Mr. and Mrs. Ottavio Prochet, Joe Platt, William Phillips, Judge Porskauer, Benedict Quinn.

Mr. and Mrs. Nelson A. Rockefeller, Mr. and Mrs. Richard Rodgers, Mis Suzanne Rosenberg, Mr. and Mrs. J Robert Rubin, Mr. and Mrs. John B Ryan, Jr., Theodore Ryan, T. Chelse Richardson, Billy Rose, The Ranee of Sarawak, Saul Rogers, Mrs. Kermit Roosevelt, Belle and Willard Roosevelt, Harold Ross, Mr. and Mrs. Eugene Reynal, Mr. and Mrs. Theodore Roosevelt, Jr., Sidney Rafelson, Clendenin Ryan, Mr. and Mrs. T. Markoe Roberston, Dr. A. S. W. Rosenbach, Philip Rosenbach, Ann Rutherford.

Mr. and Mrs. Stephen Sanford, Mr. and Mrs. Nicholas M. Schenck, Mr. and Mrs. Edgar Scott, Mr. and Mrs. A. Charles Schwartz, Mr. and Mrs. Morton L. Schwartz, Myron Selznick, Herbert Sheftel, Stuart Sheftel, Frank X. Shields, Mr. and Mrs. Paul Shields, Mr. and Mrs. Wm. Rhinelander Stewart, Beatrice Straight, Lady Daphne Straight. Mr. and Mrs. Herbert Bayard Swope, Herbert Bayard Swope, Jr., Mr. and Mrs. W. Stuart Symington, Mr. and Mrs. Robert E. Sherwood, Mr. and Mrs. John Shiff, Mr. and Mrs. James Vincent Sheehan, Max D. Steuer, Mme. Schiaparelli, M. L. Schuster, Lee Shubert, George Schaeffer, Ruth Selwyn, Leo Spitz. David Sarnoff, Gladys Swarthout, Mrs. Alfred E. Smith.

Mr. and Mrs. Harold E. Talbott, Mr. and Mrs. Bertrand L. Taylor, Count and Countess Ilia Tolstoy, Mr. and Mrs. Gene Tunney, Mr. and Mrs. Alfred G. Vanderbilt, Mr. and Mrs. Howell Van Gerbig. Mr. and Mrs. T. Reed Vreeland, Mr. William K. Vanderbilt, Frederick Warburg, Mr. and Mrs. Edward M. M. Warburg, Mr. and Mrs. Paul Felix Warburg, Paul Warburg, Jr., Clifton Webb, Mr Mabelle Webb, Joan Wetmore, Mr. and Mrs. John F. Wharton, Mr. and Mrs. Sheldon Whitehouse, Mr. and Mrs. C. V. Whitney.

Staying With United Artists Indefinitely, Says Selznick

(*Continued from page* 1)

the other Ingrid Bergman. The stories have not been selected.

Having just returned from the world premiere of "Gone With the Wind" in Atlanta, Selznick said that as a producer the lesson he could learn from the film is that patrons would rather sit through one long entertaining picture than one good one and one of inferior quality of normal length. If this is proved, he said, it may be the solution to double bills.

Selznick said that release of "Gone With the Wind" in Great Britain and other territories where revenue currency is blocked has been deferred until the situation clears up.

The picture is expected to gross 75 per cent of its domestic revenue in the next five months, during which it is scheduled to play in about 6,000 theatres.

Plans 500 Color Prints

Selznick said it was unlikely that he would produce another picture such as "Gone With the Wind."

"I doubt if another book will be published that will warrant such expenditure," he said. Selznick gave the negative cost of the Margaret Mitchell story as $3,970,000.

There will be 500 color prints at a cost of about $1,100 each, he added, and an equal number for foreign distribution. He pointed out that the handling of the film differs from that of "The Birth of a Nation," with which it has been compared in retrospect. The earlier picture was roadshown for years from city to city whereas the aim is to exhibit "Gone With the Wind" in as many theatres in as short a time as possible.

Theatres throughout the country will be getting the picture late in January and in February, and it may never be shown at regular admission prices, said Selznick.

M-G-M Invests $1,000,000

M-G-M's participation in the production cost of "Gone With the Wind" was about 25 per cent, or a little more than $1,000,000, he said.

"I am leaving all of the distribution details and policy to M-G-M, and they are doing a marvelous job," Selznick said.

He declared that the running time of the film has been reduced to the minimum consistent with good presentation and he would oppose cutting it further "if I can help it." He indicated, however, that it may be cut if exhibitors in the smaller towns demand it. Selznick pointed out that various polls have shown that the public does not think that "Gone With the Wind" is too long, although it runs three hours and 43 minutes, the longest picture ever made.

Visions Repeat Attendance

Selznick expressed the hope that the public would see the picture "two or three times," as indicated in a poll on the West Coast. He believed that it will do as well at theatres in the North as in the South as the book, which has sold almost 2,000,000 copies, has been a universal best seller.

Regarding production in New York, Selznick said he believed some pictures, especially those which are a reproduction of stage plays, could be made here, but that the industry has too great an investment in Hollywood to move East.

"A small film industry can probably be built up here," he said. "If good pictures can be made in London, they can be made in New York. Good pictures have been made here before."

Six Benchley Comedies

He revealed that Robert Benchley had signed with Selznick International to make a series of six one-reel comedies a year, three on the Coast and three in New York. Benchley has been with M-G-M.

Selznick has Ingrid Bergman and Vivien Leigh under exclusive contract.

He said that he will take a long vacation after completing retakes on "Rebecca" and then make his remaining two films on this year's U. A. contract.

Selznick was accompanied here by his wife, Irene, and his mother, Mrs. Lewis J. Selznick, widow of the film industry pioneer. They leave tomorrow for the Coast.

Exchange Employes Win New Wage Pact

(*Continued from page* 1)

tial number of employes include wage increases or improvement in working conditions in some departments. No blanket increases or adjustments were given.

The company spokesmen presented figures to the union committee to show that blanket increases were not w[illegible] ranted under present world-wide r[illegible] enue conditions.

The contract is effective immediately and retroactive to Dec. 1 last, to run until Dec. 1, 1941.

The joint committee spent three days negotiating the agreement, according to C. C. Moskowitz of Loew's. The companies involved are M-G-M, Paramount, Universal, United Artists, 20th Century-Fox, Warners, RKO and Columbia.

The pact covers the basic agreement as well as the contract for the local exchanges.

Parleys in January On N.Y. Conciliation

Max A. Cohen, president of New York Allied, yesterday said that conferences with the distributors toward establishing conciliation machinery for New York State would get under way after Jan. 1.

Companies which have agreed to setting up conciliation boards in New York City, Buffalo and Albany to adjust trade disputes include Warners, Paramount, M-G-M, Universal, Columbia, Monogram and Republic, said Cohen. RKO, United Artists and 20th Century-Fox have indicated they will join in the move.

Cohen said he was optimistic that the procedure would be very helpful in settling grievances. Conferences with the sales managers toward creating the machinery will be held with them either individually or collectively, as will be determined, Cohen said.

Cohen returned yesterday from Atlanta, where he attended the premiere of "Gone With the Wind."

Delay Negotiations On Extras' Wages

Los Angeles, Dec. 18.—Producers and the Screen Actors Guild today postponed until next week negotiations over Guild demand for re-classification of an 15 per cent wage raise for motion picture extras. The reason for the delay was given as a producers request for extra time to settle the manner of wage increase won last week by the Moving Picture Painters Local 644.

Chicago Notes

Chicago, Dec. 18.—Chicago's first newsreel theatre, Telenews, will open Friday with two preview shows. The general opening is scheduled Saturday.

A deal to show "Gone With the Wind" in Chicago is expected to be closed this week with the United Artists and Apollo theatres, both operated by Balaban & Katz, playing the picture on a day-and-date basis.

Columbia Attacks 9 Interrogatories

Columbia Pictures filed notice yesterday that it will apply to Federal Judge Vincent T. Leibell on Dec. 29 for an order striking out nine of the Government interrogatories, in whole or part, in its anti-trust suit against the majors.

Two interrogatories in which the Government sought a list of features released during 1936-37 throughout the U.S. and in four large cities with a statement as to rentals received, names of theatres in which the features were released, terms of rental and clearance and play dates were objected to by Columbia.

Columbia attacked similar interrogatories as to rentals on shorts for 1936-37. Moreover, the company refused to answer a question which asked for a complete list of exchanges in operation since 1930 and a statement of the managers and their duties.

The request for details on current loans and for a list of creditors, dates and terms of loans is opposed as harmful to the company's business and an aid to competitors. As to a demand for the listing of Columbia's gross income in the fields of exhibition, production and distribution for 1935 through 1938, Columbia referred the government to its annual reports claiming that additional information was confidential.

Blumberg Reveals New "U" Releases

(*Continued from page* 1)

with Mae West and W. C. Fields. Two new films noted by Blumberg are "World Cruise," with Loretta Young, and "The Boys From Syracuse," just acquired by Universal.

Home office and district sales managers in attendance were: Leo Abrams, short subject sales manager; Tom Murray, James Jordan, Louis Pollock, Andy Sharick, Han Linet and Morris Alin, all of the home office; and District managers Al O'Keefe, West Coast; Pete Dana, Kansas City; Dave Miller, Pittsburgh; E. T. Gomersall, Chicago; Al Herman, New York City; Harry Graham, Atlanta, Dave Levy, Big "U"; and Paul Nathanson, Canada.

Music Hall to Open 'Hunchback' Dec. 28

"The Hunchback of Notre Dame," RKO picture recreating the Victor Hugo romance with Charles Laughton in the title role, will have its New York premiere Thursday, Dec. 28, at the Radio City Music Hall.

Five members of the cast will attend the premiere—Laughton, accompanied by his wife, Elsa Lanchester; Sir Cedric Hardwicke, Edmond O'Brien, Walter Hampden, and Fred Kohler, Jr.

Taylor in Canada Post

TORONTO, Dec. 18.—N. A. Taylor, vice-president of Independent Theatres Association and general manager of 20th Century Theatres, Toronto, has been elected chairman of the Film Section of the Toronto Board of Trade in succession to T. J. Bragg, secretary-treasurer of Famous Players Canadian Corp.

NBC Scores Graf Spee Scoop; Short Wave Beats Web Rivals

"Give me the air. Give me the air. The ship has exploded." Talking directly to NBC headquarters in New York from Montevideo, over the R.C.A. short wave channels, James Bowen succeeded in giving that network a scoop on one of the most dramatic news stories of modern times.

Within 30 seconds after the flash came at 5:55 P.M. on Sunday, the Red and Blue networks were cleared for the story of the scuttling of the *Graf Spee*.

The scoop was accomplished by NBC taking over the RCA channels for a period of 36 hours before the broadcast and keeping them open. This procedure not only kept NBC in direct contact, but kept the other webs out.

Bowen started his broadcasts on Thursday and gave additional bulletins on Friday and Saturday. He was on the air at 8 A.M. Sunday with the news that the *Graf Spee* was still in the harbor. Making an exception in the rule against transcriptions, WEAF, WMAQ and KYW re-broadcast a recording Sunday night.

Incidentally, the network's publicity office is still in the dark as to Bowen's background.

Radio Brevities

Another radio contest, "Songo," has been started by WIP, Philadelphia. Using a board somewhat similar to Lotto and Bingo, the listener checks a block everytime he recognizes a tune. Cash prizes ranging from $25 to $75 are awarded for filling any row, with a special row for slogans, which brings a $100 prize. The Nevins Stores are sponsoring.

WKRC, Cincinnati, is airing a special program for druggists each Saturday at 8:15 P. M. Called "1,000 Years of Pharmacy," the program is under the auspices of the Ohio Valley Druggists Association. The show is institutional in character and aims to aid the neighborhood druggist.

I. J. Fox has taken a half-hour on Christmas Day over stations WABC and WEEI, Boston, for a special Christmas program. It will be heard at 4 P.M.

Paul Schubert, Mutual's expert on naval affairs, begins a new series of weekly talks Wednesday, Dec. 27 at 9:15 P. M. The program will be known as "The War at Sea."

Heads Toronto Union

TORONTO, Dec. 18.—Charles A. Dentelbeck, director of projection for Famous Players Canadian Corp., was re-elected president of the Toronto Operators Local 173, of which he has been the head since 1917, with the exception of a period of three years. W. P. Covert, second international vice-president of the I. A. T. S. E., who has been a member of the Toronto local since 1918, continues as business agent.

Reade Suit Upheld

Application to dismiss the suit of Walter Reade for an accounting against Joseph T. P. Sullivan for failure to state a cause of action was denied yesterday by N. Y. Supreme Court Justice McCook. Suit charges defendant with breach of a contract to split profits of the City Theatres, Inc.

Lawrence in Barcelona

BARCELONA, Dec. 18.—Ludvig L. Lawrence, European chief of M-G-M, is visiting here.

45 CBS Sponsors, 12 More Than '38

Total number of sponsors using time on CBS has increased to 45 as compared with 33 for the same period last year. There are 33 sponsored programs in the evening and 21 during the day, as compared with 28 and 13, respectively, for last year.

The total number of sponsored hours is 27¼ for evenings and 38¼ for days, as compared with 23¼ and 23¾, respectively for last year. A breakdown of present programs reveals that there are seven quarter-hour shows at night and 32 during the day, as compared with four night and 20 day last year.

This year there are 28 half-hour shows in the evening, and 4 during the day, as compared with 27 and 1 last year. There is one three-quarter hour show in the evening and six full hour shows, with no change from last year.

Canada Meeting Ends

TORONTO, Dec. 18.—More than 50 managers and exchange representatives attended the banquet in the Royal York Hotel which closed the annual conference of Associated Theatres, Ltd., the business sessions of which were conducted by General Manager H. T. Long, assisted by A. E. Sanderson, D. Main and E. V. Armstrong, the last named being in charge of projection for the Ontario circuit.

Ben Browarsky Dies

PITTSBURGH, Dec. 18.—Ben Browarsky, 51, theatre owner for 20 years in association with his brothers Ike and Harry, is dead here. He operated the Bellevue and Hippodrome, and was a member of the Motion Picture Association of Western Pennsylvania. He is survived by his partner-brothers, another brother, Mark, and a sister, Mrs. S. Shapira.

Rites for Wilkinson

WALLINGFORD, Conn., Dec. 18.—Funeral services for the late George H. Wilkinson, operator of the Wilkinson, Wallingford and Connecticut's oldest exhibitor, were held yesterday at the St. Paul's Episcopal Church.

Towers Opens Saturday

Formal opening of the Towers Theatre, at Broadway and Pine St., Camden, will take place Saturday evening. A. M. Ellis is president of the Towers Theatre Co.

Theatres Preparing Yule Holiday Shows

With the opening of "Gone With the Wind" tonight at the Capitol and Astor and "Gulliver's Travels" at the Paramount tomorrow, Broadway first run houses start to ready themselves for the Christmas season.

"Four Wives" starts Friday at the Strand, and "The Light That Failed" opens at the Rivoli Saturday. Other openings include "Reno" at the Criterion tomorrow and "The Cisco Kid and the Lady" at the Globe Saturday.

Business over the weekend, although considerably less than previous weeks because of the Christmas shopping season, was aided by the warm weather. At the Paramount, the second weekend of "The Great Victor Herbert," plus a stage show, took an estimated $20,000 over the weekend, with $42,000 indicated as the gross for the second week which ends tonight.

"Remember," withdrawn from the Capitol after five days to make way for "Gone With the Wind," drew an estimated $14,000 for the five days.

"Balalaika," with a stage show at the Music Hall, grossed an estimated $30,000 for the weekend. At the Roxy, "Everything Happens at Night," with a stage show, drew an estimated $21,500 for the weekend.

The third weekend for "Elizabeth and Essex," with a stage show at the Strand, grossed an estimated $16,000. "Mutiny in the Big House," at the Globe drew an estimated $6,000 for the week.

Copyright Law Unit Resumes Thursday

The Shotwell committee, which has been engaged in drafting new copyright legislation for submission at the next session of Congress, failed to finish its work late last week on its nearly completed bill.

The committee is scheduled to meet again on Thursday in an effort to have the bill in readiness by Jan. 3, when Congress convenes. The group is working under an agreement with Senator Bone of Washington, chairman of the copyright committee, to have a bill in readiness by that date. Failing this, a Congressional bill might supplant the one being prepared by the Shotwell committee.

Du Pont Answers $210,000 Pathe Suit

Answer of Du Pont Film Manufacturing Co. to the $210,000 breach of contract suit of Pathe Laboratories, Inc., was filed yesterday in U. S. District Court. Du Pont attacks the contract which gave Pathe the right to purchase its raw stock film requirements at 30 per cent. over cost as illegal and in violation of the anti-trust laws.

The contract was part of a deal under which the defendant was incorporated by Pathe and Du Pont interests with a division of stock. The answer claimed that federal price discrimination legislation outlawed the contract. A raise in the price of film for Pathe preceded suit.

Club Party for Boys

DES MOINES, Dec. 18.—The Variety Club will hold a Christmas party for members of Arlington Hall, a home for homeless boys, at the Savery Hotel on Saturday.



THE PICTURE HOLLYWOOD SAID "COULDN'T BE MADE"

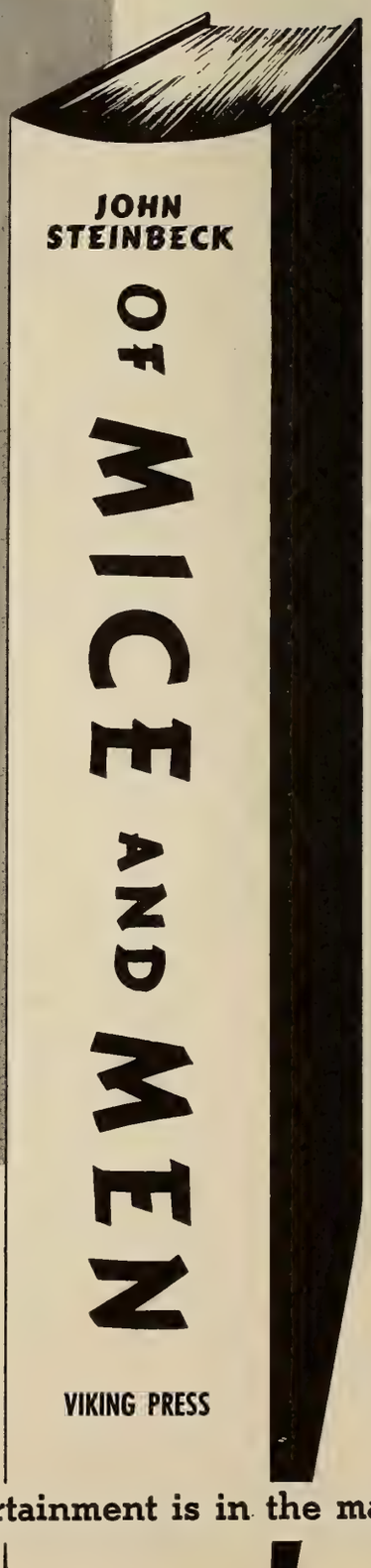
Lewis Milestone
Hal Roach Studios, Inc.
Culver City, California

Dear Milly:

I just saw the picture, "Of Mice and Men." I have a problem in telling you what I think of it. The picture industry has wilted the language like the Surrealist Dali's watches. There are no good stiff adjectives left. Suppose I try to rebuild English from the bottom and say that it is a very good and very moving picture and that I am proud to be associated with it.

John Steinbeck

Premiere at the 4 Star Theatre,
Los Angeles, on December 22nd



Your brochure on the making of this great dramatic entertainment is in the mail.

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...N PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 120 NEW YORK, U.S.A., WEDNESDAY, DECEMBER 20, 1939 TEN CENTS

'Wind' Thrills Gala Crowds On Broadway

Biggest Film Event Since Music Hall Opening

By AL FINESTONE

"Gone With the Wind" was given its New York premiere last night at two Broadway theatres, the Astor and the Capitol. Notables, headed by the Whitneys, the Schencks, the Hertzs and the Salznicks, filled the two theatres as arc lights pierced the sky and crowds milled outside.

Hundreds of police were on duty at both playhouses. It was the most brilliant opening night, according to some observers, since the Radio City Music Hall opening seven years ago.

A page of pictures of industry executives and other notables who attended Broadway's dual premiere of "Gone With the Wind" last night at the Astor and Capitol will be found on page 7. Excerpts from reviews of New York critics appear on page 6.

The double premiere set a new mark by being transmitted over the "electric eye" of NBC television, enhancing the top hat and ermine glamor of the proceedings.

In the words of Billy Rose, "this premiere made the opening of the Aquacade at the World's Fair seem like a peep-show."

As the first-nighters entered the Capitol lobby they were escorted by attendants to a television camera and microphone for interviews. Another camera played on those entering the theatre.

This opening followed last week's sensational world premiere of the picture in Atlanta, locale of the story, where 300,000 persons celebrated the picture's debut with a three-day holiday.

The Capitol was host to a capacity of 5,000 at $1.65 top. The Astor's 1,100 seats were filled at $2.20 top.

Joseph R. Vogel of Loew's supervised the Capitol opening, while C. C. Moskowitz was in charge at the Astor. The press arrangements were under the direction of Howard Dietz. William R. Ferguson handled the special effects. Marvin Schenck and Eugene Picker assisted Vogel.

A number of players from the film were in the gay throngs and added

(Continued on page 6)

Loew's 1939 Profit Fixed at $9,841,000; $83,000 Below 1938

Net profit of $9,841,530.61 is reported by Loew's, Inc., and wholly owned subsidiaries for the fiscal year ended last August 31. This compares with $9,924,934 for the 1937-'38 fiscal year.

Operating revenues increased approximately $3,600,000 over 1937-'38, while operating and general expense increased by about $3,900,000, chiefly accounted for by amortization and write-off of film costs.

The company's share of the net profit is equivalent to $71.98 a share on the preferred stock and $5.48 a share on the average common stock outstanding during the year. Corresponding profits for the year before on the same basis were $72.59 a share on the preferred and $5.65 per common share.

Operating revenues for the year totaled $126,341,724.82, as follows: Theatre receipts, rentals and sales of films and accessories, $122,577,542; rent income, $2,541,801 miscellaneous, $1,222,380. Included is $14,175,624 on operations of partly-owned corporations. An increase of $3,635,000 was shown in theatre and distribution grosses.

Operating and general expense totaled $99,706,443 as follows: Theatres and office buildings, including film rental expense, $32,209,153; distribution and other film expenses, $12,860,741; amortization and write-off of film costs, $46,692,078; film advertising accessories, $879,121; outside pro-

(Continued on page 2)

Aylesworth Leaves Telegram for Law

Merlin Hall Aylesworth, publisher of the New York *World-Telegram* since March 31, 1938, and formerly head of NBC and RKO, announced his resignation yesterday, effective Dec. 31.

The move coincided with Aylesworth's admission to the New York Bar yesterday. After Jan. 1, the former film executive returns to his first profession, law, specializing as counsel and adviser to corporations, business and professional men on problems growing out of New Deal legislation.

Roy W. Howard, president and editor of the *World-Telegram,* announced that Noel S. Macneish, business manager, would succeed Aylesworth as head of the business, advertising and circulation departments.

Aylesworth first was admitted to the

(Continued on page 6)

GOLDWYN'S DEAL HOLDS, WARNS UA

New Goldwyn Suit On Bonus Interest

Samuel Goldwyn has filed a new suit against United Artists in N. Y. Supreme Court, Charles Schwartz, counsel for the company, revealed yesterday.

The action was brought on Dec. 8 for the purpose of collecting six per cent interest on Goldwyn's $54,000 producer's bonus from the company for the period from Aug. 25, when the dividend was authorized, until Nov. 15, when the check was issued, Schwartz said.

News Cameramen Given 2-Year Pacts

New two-year contracts between the five newsreels and Local 644, Cameramen's union, were signed yesterday, incorporating the 10 per cent wage increase agreed to in Hollywood during October.

The wage increases, retroactive to Oct. 2, will be paid to the cameramen on Saturday, according to Charles Downs, business agent for Local 644, who represented the union in the negotiations.

A second principal agreement requires reels which are to participate in an exchange of lavenders with another reel to assign one cameraman to the event to be covered.

The union's demand for accident and life insurance for members will be taken up later with company heads operating newsreels.

Coast Flashes

HOLLYWOOD, Dec. 19.—Walter Wanger today announced bonuses of one week's pay to each employe earning $100 or less weekly, and the closing of the plant on Saturday and Monday as a holiday vacation.

Rudy Vallee was signed by Republic as a producer. He will guide production of two musicals, first to be "Hit Parade of 1940," starring Frances Langford.

Indications today were that the con-

(Continued on page 2)

Court Action Threatened If Producer Tries To Break Contract

United Artists regards its distribution contract with Samuel Goldwyn as still in effect despite the producers' notification of its termination as of yesterday, and will contest in the courts any effort by Goldwyn to deviate from its terms by releasing through or producing for any other company, Murray Silverstone, head of United Artists world-wide operations, announced yesterday.



Murray Silverstone

Goldwyn's notification of the termination of his contract reached United Artists at noon yesterday and was discussed at a meeting of the company's board in the afternoon.

Following the meeting company officials said that despite the notice they regarded Goldwyn's distribution contract as being in force until the courts have held otherwise, intimating that any effort by the producer to effect a distribution deal for his new picture, "The Westerner," with any other company would be opposed by United Artists in the courts.

It was pointed out that despite Goldwyn's contention that his contract has been breached the courts have not ruled on the matter yet. The Goldwyn pact has until Sept. 2, 1945, to run and calls for his exclusive producing services for United Artists.

Silverstone meanwhile announced that Ernst Lubistch had completed work for M-G-M and would start with United Artists "immediately."

He is now endeavoring to select his first story for production, it was said.

Silverstone added that "at least two other important producers" had been lined up for the United Artists' roster during his recent visit to the coast. He declined to identify them "at this time" and likewise refused to comment on current reports that negotiations had been held with Frank Capra and James Roosevelt.

Discussing the company's forthcoming product Silverstone said that one of the largest production financing deals to be consummated in some time

(Continued on page 4)

Jan. 17 Broadway 'Blue Bird' Opening

First two-a-day roadshow of "The Blue Bird," 20th Century-Fox film, starring Shirley Temple, will start Jan. 17 at the Hollywood Theatre on Broadway. Similar engagements are planned for Detroit, San Francisco and Boston. Theatres for these cities are being negotiated. Price scale will be $1.65 or $2.20 top.

Maurice Maeterlinck's famous play, which has been revived at various times, was first presented in New York at the New Theatre on Oct. 1, 1919, and it ran several months. The play has been translated into 32 languages and has been produced in 45 countries.

Charles E. McCarthy, director of advertising and publicity, has appointed John Goring, veteran theatre man, to handle the roadshow. Goring managed the old Criterion on Broadway, and more recently has worked in Pittsburgh and on the West Coast.

Grainger Expected On Coast Saturday

DENVER, Dec. 19.—James R. Grainger, Republic president, who is on a tour of exchange cities, left here today and is due Saturday in Los Angeles where he will spend the holidays with his family.

Grainger was guest of honor at a luncheon at the Brown Palace Hotel here last Friday, given by J. T. Sheffield, western franchise holder. Rick Ricketson, National Theatres division manager, was toastmaster.

Coast Flashes

(*Continued from page 1*)

tempt of court case involving Fox West Coast and the majors will be postponed until after the holidays due to a crowded court calendar.

Universal today gave Dan Kelly a new two-year deal which advances him to associate executive post. Reginald Allen moves over from Famous Productions to Kelly's staff in charge of writer assignments. A. H. McCausland, who has been supervising financial affairs of Famous Productions, Harry Edington's unit, becomes Universal's labor councilor.

Illinois Sets Jan. 10 For Bioff Hearing

SPRINGFIELD, Ill., Dec. 19.—Governor Horner today granted opposing counsel in the William Bioff extradition case until Jan. 10 to submit additional citations of law bearing on the case.

"Issuance of a requisition in this case," said George Breslin, Bioff's attorney, "would be a gross miscarriage of justice and would make Illinois and the people of the state party to a great wrongful act."

Hays Meeting Today

The fourth quarterly meeting of the M.P.P.D.A. board of directors will be held today. Meeting was postponed from last Wednesday due to the absence from the city of more than half of the major company heads, all of whom have since returned.



Fly American

OVERNIGHT TO CALIFORNIA

Via

The Southern Sunshine Route

NOW! 4 FLIGHTS DAILY!

Leave NEW YORK	Arrive LOS ANGELES
7:00 a.m.....	1:25 a.m.
5:10 p.m.....	8:34 a.m. Skysleeper
5:40 p.m.....	10:58 a.m. Skysleeper
10:20 p.m.....	3:05 p.m. Skysleeper

★ A calm, restful night's sleep is all that's between you and the Coast . . . when you Fly American. Luxurious skysleepers. Complimentary meals. Stewardess service. For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket offices: 45 Vanderbilt Ave., and Rockefeller Center at 18 W. 49th St.

AMERICAN AIRLINES Inc.

ROUTE OF THE FLAGSHIPS

Purely Personal

ABE MONTAGUE, Columbia general sales manager, is expected from the Coast at the end of the week.

•

DAVIRA LIBSON, daughter of ISAAC LIBSON, vice-president and general manager of RKO Midwest in Cincinnati, will be married Christmas Day to JUNIUS J. FISHER, president of the General Display Corp., Huntington, W. Va.

•

RIAN JAMES, screen writer for HAL ROACH, arrived here from the Coast today, planning a West Indies cruise before returning to Hollywood.

•

THOMAS TURNER, manager of the Grand and Robinhood Theatres, Grand Haven, Mich., was married recently to SUE MAE SIMANTZ.

•

BABS SAVAGE, seven-year-old skater and film player, will be guest of honor at the Rockefeller Plaza Skating Rink this evening.

•

RICHARD HAYES, Paramount salesman at Albany, will be guest speaker before the Rotary Clubs of Alexandria Bay today.

•

EDWIN FADIMAN of National Pictures, left yesterday with his family for Florida, where they will spend the holidays.

•

JOSEPH MILLER, Columbia branch manager in Albany, leaves tomorrow with MRS. MILLER to spend two weeks in Miami.

•

VINCENT MCFAUL was here from Buffalo yesterday for conferences with BARNEY BALABAN, Paramount president.

•

H. J. YATES returns Thursday from the Coast by plane after an extended stay at the Republic studio.

•

WALTON C. AMENT, news editor of Pathe News, will return tomorrow from a Florida vacation.

•

DAN TOBIN, stage and screen player, is spending a week with relatives in Cincinnati.

•

W. RAY JOHNSTON, Monogram president, is expected back from the Coast tomorrow.

•

CHARLES LIGHT is back from Colorado Springs where he shot some shorts.

Painters Will Seek Steady Employment

HOLLYWOOD, Dec. 19.—Members of the Moving Picture Painters Local 644 last night accepted the offer of producers to pay a 15 per cent wage increase retroactively to Aug. 25, but moved to continue to seek a minimum guarantee of 250 days work per year.

Conferences on the work guarantee will be held this week, according to Herbert Sorrell, who declared that the painters given the guarantee would be willing to work at 10 per cent below the scale. This is seen as the first attempt by a Hollywood union to insure more continued employment.

Loew's 1939 Profit Fixed at $9,841,000

(*Continued from page 1*)

ducers' share of film rentals, $5,148,216; general and administrative, $1,917,131.

Common stock dividends totaled $4,097,565, against $5,596,593 the year before. Preferred dividend was $888,693, the same, of course, as the preceding 12 months.

Cash in banks and on hand at Aug. 31 was $13,781,161, the company having increased its cash position by almost $8,000,000 by private borrowing last August. Holdings of U. S. Government and agency securities increased from $317,696 shown in the previous fiscal statement to $3,380,651. Notes receivable are $48,686, and accounts receivable $2,447,689. Total assets as of Aug. 31 were $157,333,208.

Cash in foreign countries subject to export restrictions at dates of foreign balance sheets, generally July 29, 1939, totaled $1,027,713. Subsequent remittances from such countries up to Aug. 31 totaled $625,201. After adjustments for remittances, the net foreign assets were $13,266,820, including net current assets of $1,210,250, of which $470,722 is in countries with exchange restrictions.

Among other investments are Italian Government bonds carried at $739,977; U. S. Government securities, placed in escrow pending litigation, $613,007, and $230,240 fixed deposits in the Yokahama (Japan) Specie Bank, Ltd., San Francisco, representing revenue payable in 1941-42.

Federal income taxes for the fiscal year totaled $1,958.851. Inventories increased by about $1:430,000 over the previous year, to $44,354,138.

Begin Nick, Weston Hearing on Ouster

ST. LOUIS, Dec. 19.—A hearing to determine whether John P. Nick, deposed head, and Clyde A. Weston, business agent of the local operators' union, shall be ousted permanently from office was started yesterday before Circuit Judge Ernest F. Oakley.

A temporary injunction forbidding Nick and Weston to take part in any of the union's activities, issued by Judge Oakley, is still in effect. Walter Rumery, operator at the Melba, testified today he had been accosted by a Nick supporter as he left the court yesterday and threatened with the loss of his job.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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The interior lobby of Radio City Music Hall. Block-long lines outside wait to see "Balalaika."

IMPOSSIBLE!

They should be doing Christmas shopping!
They prefer to see M-G-M's "BALALAIKA"!
Bringing new records to Radio City Music Hall!
Biggest December opening in its history!
Greatest Pre-Xmas Week it ever enjoyed!
Held Over! Who said "Seasonal slump"?
"BALALAIKA" has proved itself the hard way!
A rousing, thrilling musical comedy sensation
Destined for front rank in M-G-M's Parade of Hits!

"BALALAIKA" starring NELSON EDDY, Ilona Massey with Charlie Ruggles • Frank Morgan • Lionel Atwill • C. Aubrey Smith • Joyce Compton Dalies Frantz • Screen Play by Leon Gordon, Charles Bennett, Jacques Deval • Based upon the Play "Balalaika" • Book and Lyrics by Eric Maschwitz • Music by George Posford and Bernard Grun • Directed by Reinhold Schunzel • Produced by Lawrence Weingarten • An M-G-M Picture

Films Occupy 30% of Time On Television

Television programs have been 40 per cent live talent studio shows, 30 per cent films and 30 per cent outside special events, a survey of the year's activity at NBC revealed yesterday. Regular programs started April 30.

For the eight-month period, there were approximately 600 hours of telecasts, a sharp contrast with the early days of radio. From an original basis of two hours weekly, the schedule has risen to 15 hours per week.

In the field of sports, telecasts have been made of major prize fights, big league baseball and football games, wrestling bouts and championship tennis matches. Hockey and basketball may be added as Winter features. The visit of the King and Queen, the Army parade on Fifth Ave., yesterday's opening of "Gone With the Wind" and the opening of the New York World's Fair were among the more notable events picked up by the mobile units.

While preparations are continuing for the opening of the first television network early in January without the use of either telephone lines or coaxial cables, NBC has experimented with a one-mile telephone line installed at Madison Square Garden. Longest remote pickup without the use of lines has been 27 miles from trucks covering the tennis matches.

Twenty-five commercial programs have been telecast during the year, for which sponsors have provided talent costs and NBC has provided production and overhead.

The problem of obtaining good films is still unsolved. Independent and foreign product has been used but the entertainment value of such films has not been on a par with the rest of the programs. In addition, approximately 100 commercial films have been used. A 16mm. projector has been developed for telecasting and it is expected that new sources of material may be opened to television by using the new machine.

Hollywood Review

"Roll, Wagons, Roll"

(Monogram)

HOLLYWOOD, Dec. 19.—This Tex Ritter western is considerably above his good average. It has more movement in it, more lilt in story as well as in those tuneful sessions he puts into it, and there is a genuinely western tang about it all. Ritter himself is in rare form.

The period is the hazardous era when wagon trains bound for Oregon were having Injun trouble stirred up by fur traders who didn't want any more settlers moving it. The story by Victor Adamson, Edmond Kelso and Roger Merton is a straightaway account of what was done to take care of that situation and Al Herman, directing for associate producer Ed Fonney, saw to it that the taking care of was attended to in straightaway fashion also.

Ritter's supporting cast includes Nelson McDowell, Muriel Evans, Nolan Willis, Steve Clark, Tom London and Reed Howes. It's a right smart western, pardners.

Running time, 54 minutes. "G."* ROSCOE WILLIAMS

*"G" denotes general classification.

Equity Delays Vote On Minimum Wages

Actors Equity Council failed yesterday to vote on the question of raising minimum wages to $50 weekly and postponed the issue until Jan. 2. As a result, the quarterly membership meeting at the Hotel Astor Friday will not be able to consider minimum wages. Present minimums are $40 weekly.

The appearance of Ralph Morgan, Screen Actors Guild presidnet, and Kenneth Thomson, S.A.G. executive secretary, to discuss the "one big union" question necessitated delaying a vote on raising minimum wages.

Reorganization of the Associated Actors and Artistes of America, the parent body, is awaiting a report from Bernard Reis, accountant, which is expected in February. Meanwhile, Equity has been investigating its relationships with the 4-A and several reforms are planned. Philip Loeb, chairman of the investigating committee, read a report yesterday but the contents were not made public.

Goldwyn Contract Holds, U.A. Warns

(Continued from page 1)

had just been closed with West Coast banks by Edward Small. He said that Small's production budget for the next 18 months would approximate $7,500,000, and that among the new productions in his schedule are "Two Years Before the Mast," "Son of Monte Cristo" and "Valentino."

Silverstone said that the company will have 15 pictures ready between the end of January and the first of June.

Silverstone says he regards Selznick as "the greatest producer the industry has known."

He reported that the new Charles Chaplin picture was "three-quarters completed," and that two new pictures would be delivered by David O. Selznick on his current contract with the company. Decisions on the two productons will be made before Selznick completes an extended vacation which he plans to start soon.

United Artists also will have "Of Mice and Men," "1,000,000 Years, B. C.," "Turnabout" and "Captain Caution," from Hal Roach this year; "Our Town," from Sol Lesser; "Slightly Honorable," "House Across the Bay," "Personal History" and others from Walter Wanger; "Thief of Bagdad," "Over the Moon" and "Hunting the U-Boat," from Alexander Korda.

Silverstone said that Korda is considering dividing his future production efforts between London and Hollywood. He pointed out that Vivien Leigh has a contract for one picture a year with Korda, who also has contracts with Merle Oberon, Sabu, Ralph Richardson and others.

The United Artists chief executive said that the company would have five or six more pictures this year than last and would have more next season than it did this. He said that the company's domestic gross with its additional number of releases this year was "more than $8,000,000 over a year ago."

Harry Gold, United Artists vice-president and Eastern general sales manager, has closed deals with the Music Hall for "Thief of Bagdad," "Our Town" and the first Lubitsch picture.



Drama Leads All Programs, NBC Reports

Dramatic programs have risen to a new high on NBC during the past year, a survey revealed yesterday, and such programs now total 3,500 hours annually or 19 per cent of the time the two networks, Red and Blue, are on the air.

Of this total, 2,750 hours were on sponsored time and 750 are sustaining. Twenty stations have been added to the networks to bring the total to 181, another all-time high.

There were 160 hours of on-the-spot sports broadcasts and 90 hours of interpretative comment. Fifteen sustaining series for women were on the air, exclusive of daytime dramatic serials, and three new program series will be added in January. The three new programs will be "Streamline Journal," a radio adaptation of a newspaper's women's page; "Echoes of History," presented with the cooperation of the General Federation of Women's Clubs; and "Quilting Bee," which will be broadcast with the aid of the National Council of Women.

Three new children's series were added during the year, bring the total time devoted to juvenile features to 64 hours, or 2.3 per cent of the time.

Nearly 300 hours of religious programs were broadcast during 1939 with all faiths represented. There were 366 symphonic broadcasts in addition to weekly opera programs during the Metropolitan Opera season chamber music and vocal programs.

Educational programs did not obtain their present pace until late this year but during the closing months the networks presented more than 80 programs a week and will continue this schedule during the coming year.

K. C. Stagehands Elect

KANSAS CITY, Dec. 19.—For the 15th consecutive year Felix Snow, I. A. T. S. E. representative, has been elected business agent of the stagehands Local 31. Cyril Donovan was reelected president and Walter Brown vice-president. Julius Ehrlich, reelected treasurer for his 40th term, died shortly after his election. He was 70.

Associates Meet Today

Motion Picture Associates will hold a special meeting at 12:30 P. M. today at the Hotel Astor to distribute prizes to members who brought in the most revenue for the Associates' *Journal* in conjunction with the recent annual dinner and dance.

Neth City Commissioner

COLUMBUS, O., Dec. 19.—J. Real Neth, executive head of Neth Theatres, operating a local suburban circuit, has been named welfare director in the cabinet of Mayor-elect Floyd Green. Neth now is a member of the city traffic commission.

Plans Chicago Office

J. H. Hoffberg plans to open an office in Chicago about the first of the year. Arthur S. Benjamin will be manager, with Robert Snyder in charge of sales.

Radio's No. 1 program boosts your No. 1 New Year's attraction... 2 DAYS BEFORE OPENING!

On Friday, DECEMBER 29

8-9 p. m. Eastern Time; 9-10 p. m. Pacific Time

over the entire CBS network

KATE SMITH'S HOUR

features the immortal Stephen C. Foster songs . . . and the stormy romance of

SWANEE RIVER

brought to millions of listeners by

Don AMECHE · Al JOLSON · Nancy KELLY

(in the role played on the screen by Andrea Leeds)

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

This is but one of many important programs celebrating Stephen C. Foster Month (starting December 25) and building up SWANEE RIVER for you!

GREAT PICTURES! GREAT PROMOTION! GREAT BUSINESS!

Shipments of Spee Newsreel Delayed

Pictures of the *Graf Spee's* adventures at Montevideo did not reach newsreels in time to be included in yesterday's issues and, due to uncertainties in air express schedules from Montevideo, newsreel editors are uncertain whether shipments will arrive in time to make tonight's releases.

Paramount News and Movietonews reported that South American representatives had advised that footage was being sent to New York by air express. Other reels are expecting shipments but are without definite information as to their status.

The material expected was obtained prior to the scuttling of the German pocket battleship. Shots of the explosion which destroyed the ship are believed to have been obtained by representatives of all reels but probably will be in a second shipment to reach New York.

Aylesworth Leaves Telegram for Law

(*Continued from page* 1)

bar in Colorado in 1907. After work as county attorney in Colorado and with Utah and Colorado utilities, in 1928 he became the first president of NBC. In 1936, he resigned to become president and chairman of the board of RKO, and one year later became general manager of the Scripps-Howard Newspapers. In 1938 he was named *World-Telegram* publisher.

N. Y. Critics Applaud Film

New York's newspaper critics unanimously agreed that "Gone With the Wind" deserves only superlative acclamation. Excerpts of reviews from the morning papers follow:

Times—"Is it the greatest motion picture ever made? Probably not, although it is the greatest motion-mural we have seen and the most ambitious film-making venture in Hollywood's spectacular history . . . By any and all standards, Mr. Selznick's film is a handsome, scrupulous and unstinting version of the 1,037-page novel, matching it almost scene for scene with a literalness that not even Shakespeare or Dickens were accorded in Hollywood, casting it so brilliantly that one would have to know the history of the production not to suspect that Miss Mitchell had written her story just to provide a vehicle for the stars already assembled under Mr. Selznick's hospitable roof."—By Frank S. Nugent.

News—"There has never been a picture like David O. Selznick's production of 'Gone With the Wind' . . . It is so true to Margaret Mitchell's novel of the Civil War as it was fought in and around Atlanta that it is of the same epic quality as that of the book . . . The picture is real, full of vitality, and of so much human waywardness and nobility of spirit that it tears your heart out in sympathy with its tender and tragic passages and makes you want to shout with joy."—By Kate Cameron.

News—" 'Gone With the Wind' is the most magnificent motion picture of all time . . . and the longest . . . Selznick has hit the high spots of Miss Mitchell's 1,000-page drama of the Fall of the proud, arrogant South in its futile fight to regain the lazy, leisurely mode of living, the desolation that followed the Civil War, and the survival of the fittest. There are scenes so breathtakingly beautiful that they will be indelibly imprinted on your mind for days to come."—By Wanda Hale.

Herald-Tribune—"Monumental picture . . . Certain to smash all sorts of box-office records . . . Chief distinction is its sheer size and its principal appeal resides in the fact that it is a remarkably faithful transcription of an enormously popular book . . . Acting superlatively good . . . Fleming's direction resourceful."—By Howard Barnes.

Mirror—"Mammoth picture . . . Vast in its sweep, alive in its color vivid in its characterizations. 'Gone With the Wind' is one of those rare films which truly is big."—By Bland Johaneson.

'Wind' Thrills Gala Crowds On Broadway

(*Continued from page* 1)

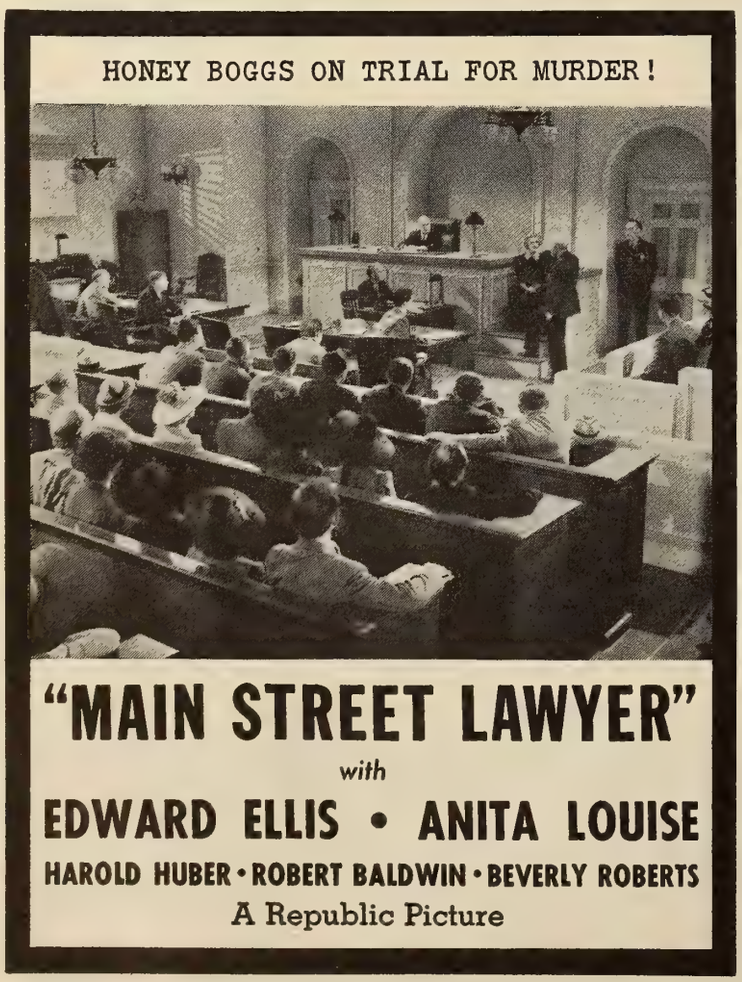
glamor to the occasion. The proceedings went off like clockwork, amid the flashing of cameras. For the pap[illegible], the opening was a news event of [illegible] portance and the lead for today's society pages.

Among those at the Astor were Col. Julius Ochs Adler of the New York *Times*, Mr. and Mrs. Barney Balaban, Mr. and Mrs. George J. Schaefer, Jules Bache, Lee Shubert, John Jacob Adler, Hannah Williams, Mr. and Mrs. Robert Levy, John D. Hertz, Jr., Charles Ruggles, Ilka Chase, Bernard Gimbel, Jack Haley, Burgess Meredith, Mr. and Mrs. Harry Brandt, Monroe Greenthal, Marian Rogers, Mrs. Julia Dietz, Mr. and Mrs, Arthur Mayer, Harry Moskowitz.

Among those at the Capitol were Mr. and Mrs. Nicholas M. Schenck, Mr. and Mrs. David O. Selznick, John Hay Whitney, Mr. and Mrs. Will H. Hays, Floyd Odlum, Mr. and Mrs. Boyd Hatch, Mr. and Mrs. John D. Hertz, Mr. and Mrs. Edwin L. Weisl, Mr. and Mrs. Herbert Bayard Swope, Mr. and Mrs. Arthur Loew, Mr. and Mrs. Martin Quigley, Mr. and Mrs. W. C. Michel, Mr. and Mrs. George Skouras, Mr. and Mrs. Nate J. Blumberg.

Mr. and Mrs. Maurice Silverstone, Mr. and Mrs. Harry Gold and daughter, Gloria Jean, Mr. and Mrs. Robert E. Sherwood, Mr. and Mrs. Leo Spitz, Mr. and Mrs. Joseph Bernhard, Mr. and Mrs. William F. Rodgers, Mr. and Mrs. C. C. Pettijohn and C. C. Pettijohn, Jr., Mr. and Mrs. Edward Stettinius, Mr. and Mrs. Juan Tripp, Mrs. T. J. Connors, Mr. and Mrs. E. M. Saunders, Mr. and Mrs. H. M. Richey, Mr. and Mrs. Ned E. Depinet, Mr. and Mrs. L. E. Thompson, Mr. and Mrs. John O'Connor, Mr. and Mrs. David Bernstein, Mr. and Mrs. Fred Meyers, Mr. and Mrs. Max A. Cohen, Mr. and Mrs. Max Fellerman, Alice Faye, Tony Martin, Walter Winchell and daughter, Walda, Louella Parsons, Laura Hope Crews, Ona Munson, Myron Selznick, Mr. and Mrs. Ed Hatrick, David Sarnoff, Olivia de Havilland, Leo Justin.

Alfred H. Morton, Jack Alicoate, Mr. and Mrs. Ben Shlyen, Mr. and Mrs. Jules Levy, Mr. and Mrs. Abe Lastfogel, Mr. and Mrs. William White, Mr. and Mrs. Bud Saunders, B. S. Moss, Charles Moss, Dr. and Mrs. Herbert T. Kalmus, Mr. and Mrs. E. K. O'Shea, Mr. and Mrs. Jules Brulatour.



'U' Plans Production Rush by January 15

With more than half of the Universal product for the current season already delivered to exhibitors, plans are being rushed for new releases. By mid-January, Universal sound stages will be taxed to capacity, officials said yesterday.

Scheduled to start immediately after the holidays are "It Happened in Kaloha," starring Deanna Durbin; "Black Friday" with Boris Karloff and Bela Lugosi; "House of the Seven Gables," "Alias the Deacon," starring Bob Burns, and the Bing Crosby film, "If I Had My Way."

Loretta Young will start "World Cruise" in March; Cary Grant will appear in "La Chienne." Charles Boyer will report in August.

Ford to Drop Suit Accusing Majors

CHICAGO, Dec. 19.—The suit of Frank Ford, Evanston exhibitor, against Balaban & Katz, the major companies and Sam Myers, will not be pressed, Ford's attorneys say.

Improvement in product for Ford's Stadium theatre is the cause of the changed attitude. It is understood Ford and the defendants have reached an understanding.

Conn. Allied Meeting

Allied of Connecticut, affiliated with Independent Exhibitors of New England, will hold a statewide meeting at New Haven Dec. 26. Al Schuman of Bridgeport, president, and E. Thornton Kelly, field representative, will report on the membership campaign.

Warner Managers Hold Albany Parley

ALBANY, Dec. 19.—Warner managers in the 19 theatres in the local district yesterday held a meeting with M. A. Silver, zone manager, presiding. Policy and the early 1940 program was outlined by Silver and Charles Smakwitz, district manager.

On hand were Arnold Stoltz, William Haines, John Breslin, all from Utica; Leo Rosen, Jack Swartout, Sid Sommer, from Troy; Andrew M. Roy, Robert Rosenthal, Al LaFlamme and Edward Selette, from Albany.

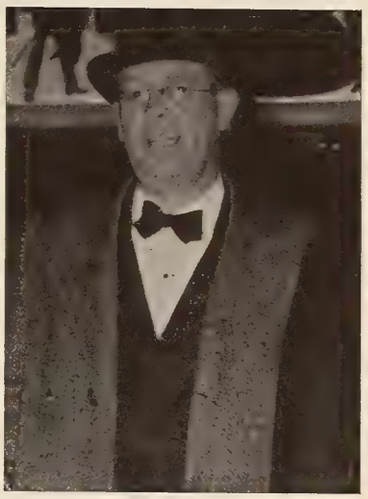
Camera Catches Glamor of 'Wind' Premiere



Martin Quigley, president of Quigley Publications, and Mrs. Quigley.



An exclusive *Motion Picture Daily* photograph of David O. Selznick as he appeared on NBC television sets in the first telecast of a film premiere.



W. C. Michel, executive vice-president of 20th Century-Fox.



Maurice Silverstone, chief of world-wide operations of United Artists, arrives at the Capitol with Mrs. Silverstone.



Leo Spitz, who flew in from Chicago via United Airlines, with Mrs. Spitz.



Nicholas M. Schenck, president of Loew's, Inc., and M-G-M Pictures, with Mrs. Schenck.



Arthur M. Loew, first vice-president of Loew's, Inc., with Mrs. Loew, who flew back from the West Indies to attend the premiere.



MONOGRAM'S "THE GENTLEMAN FROM ARIZONA" WOWS THEM AT WORLD PREMIERE

ORPHEUM THEATRE, PHOENIX









RAVE REVIEWS

"'The Gentleman From Arizona' is gorgeous." —*Los Angeles Times*

"Exceptionally fine color photography." —*Showman's Trade Review*

". . . a winner that should break every barrier for good grosses." —*Stokes, Jay Emanuel Publications*

"Outstanding entertainment. Picture is beautifully filmed in natural color. Book it by all means." —*Hollywood Motion Picture Review*

"Georgeous Arizona backgrounds brought out in all their splendor, with never a harsh tone in the vivid panorama." —*Hollywood Reporter*

". . . picture has some sterling entertainment values . . . bang-up horse race for a thrilling climax." —*Daily Variety*

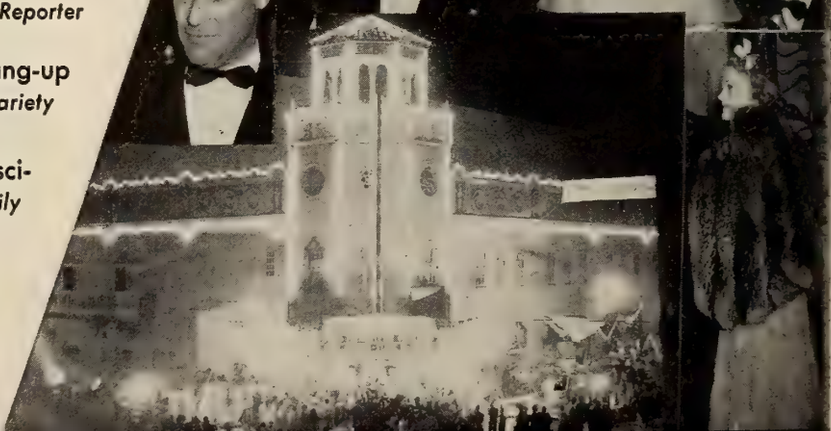
"Picture's strong point throughout is the use of color on fascinating exteriors." —*Motion Picture Daily*

". . . catches beauty of mountain, desert, canyon, and garden spots . . ." —*Arizona Gazette*

"Magnificent colorings . . ." —*Arizona Republic*







ALL PHOTOGRAPHED IN BREATH-TAKING NATURAL COLOR

with J. FARRELL MacDONALD ★ JOAN BARCLAY ★ JOHN KING ★ CRAIG REYNOLDS ★ RUTHIE REECE

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VOL. 46. NO. 121 NEW YORK, U. S. A., THURSDAY, DECEMBER 21, 1939 TEN CENTS

Arnold Denies 'Compromise' On Trust Suits

Trials Will Be Pushed, Says Prosecutor

WASHINGTON, Dec. 20.—Reports originating here that the Government anti-trust suits against the film industry would be compromised and would never go to trial were denied formally today by Thurman Arnold, special assistant to the Attorney General.

Arnold's denial identified the reports as being "circulated in the motion picture industry," despite the fact that while they are heard here frequently, even in Government circles, no one identified with the motion picture industry in any responsible capacity has been known here to have voiced such reports.

Attorneys for Majors Unaware of Reports

New York attorneys for major company defendants in the Government's anti-trust suits against the industry said yesterday they were unaware of the current Washington reports that the actions would be "compromised."

"In view of the fact that the trial date has just been set for May 1 after many months of preparatory work, no informed person could originate such a report at this time," one attorney said.

"Our entire time is being given to preparations for the pre-trial in March and the May trial. If there is any disposition on the Government's part to 'compromise' the suit, no one has informed us of it."

'Wrath' Premiere At Rivoli on Jan. 24

"The Grapes of Wrath" will have its world premiere at the Rivoli on Jan. 24, where it will be shown at popular prices. Twentieth Century-Fox decided to show the film at the Rivoli instead of the Roxy because an extended run is expected, it was said.

Darryl F. Zanuck, vice-president in charge of production, and a party of studio executives will come to New York for the premiere.

Pathe Sets Dividend

The board of directors of Pathe Film Corp. yesterday declared a regular quarterly dividend of $1.75 per share on the $7 convertible preferred stock, payable Jan. 2 to stockholders of record Dec. 26.

Admission Taxes Pass $2,000,000 In Record Month

WASHINGTON, Dec. 20.—Topping the $2,000,000 mark for the first time this year, Federal admission tax collections in November reached the highest figure recorded since December, 1937, with a total of $2,117,644, it was reported today by the Internal Revenue Bureau.

The month's collections were $390,000 better than those for October and were $132,000 above the November, 1938, total of $1,985,128, the bureau announced. It was the fourth consecutive month and the sixth of the year in which receipts had exceeded those of the corresponding month in 1938.

The heavy November collections brought the total for the first 11 months of the year to $17,901,777 compared with $17,640,960 for the corresponding period last year, bureau figures showed.

All of the improvement in November over October was accounted for by the Third New York (Broadway) district, where collections jumped from $277,256 to $689,426, it was disclosed by analysis of the bureau's report.

Collections on admissions, including season tickets, increased from $228,861 in October to $621,572 last month, while receipts from free or reduced rate admissions increased from $3,673 to $7,650; on tickets sold by brokers from $6,102 to $10,026; on tickets sold by proprietors in excess of the established price from nothing to $355 and admissions to roof gardens and cabarets from $38,617 to $49,823.

Loew's Common Up $1.50 on Exchange

Loew's common gained $1.50 on the N. Y. Stock Exchange yesterday, closing at 34. The preferred was up one-half point to close at 105.

Some financial commentators credited the rise to the exceptional publicity and reviews accorded "Gone With the Wind" by the New York press, but most observers felt that Loew's annual statement showing net profit of $9,841,530 was a major factor in the strength shown by the issue.

Shirley to Go on Stage

HOLLYWOOD, Dec. 20.—Shirley Temple will make her first personal appearance on a stage Feb. 1 when she attends the opening of the road show engagement of her picture, "The Blue Bird," in San Francisco. Twentieth Century-Fox is planning to send its top stars throughout the country in connection with "The Blue Bird," starting with the New York opening on Jan. 17.

Fox West to Issue $60,000 in Bonuses

Hollywood, Dec. 20.—Approximately $60,000 in bonuses will be paid out to Fox West Coast employes this week, it was revealed today. Participating will be employes from district managers to ushers. More than 500 will share in the bonus awards, while 365 will be benefited by group insurance dividends.

London Banks Balk At Production Loans

LONDON, Dec. 20.—English banks in the financial district, in general, are unwilling to lend money for production enterprises, it was revealed in the course of discussion today by a Films Council committee. A group of experts had been studying the situation relative to possible financial house underwriting of British production ventures.

The result of the study is said in informed quarters to apply chiefly to normal financing. It is pointed out that financing of production is more likely in the event of Government guarantee of the security of production loans.

The Films Council is expected to consider the possibility of Government guarantees on such loans at a later date.

It is believed that the financial interests are uneasy about the possible effects of bombings on the film industry, with the possible dislocation of activity in the event of air attacks.

The Films Council, at its meeting in January, is expected to consider the concrete form and details of the establishment of new financial and legislative machinery for the industry under war conditions.

Awards Banquet Set By Academy Feb. 29

HOLLYWOOD, Dec. 20.—Thursday, Feb. 29, has been set for the 12th annual Awards Banquet of the Academy of Motion Picture Arts and Sciences. The awards committee, at a meeting last night, agreed to make foreign films eligible for all major awards.

The committee also voted an award for the best color photography, turned down a request for the establishment of new shorts awards, and decided to permit extras to vote in the finals on the best dramatic performance and best supporting role by an actor or actress.

Bondy Gives His Approval To RKO Plan

Orders Atlas Must Pay $3 for Each Share

The proposed agreement to underwrite 500,000 shares of new common RKO stock at $3 per share was approved yesterday by Federal Judge Bondy with one modification.

Judge Bondy at the same time authorized RKO and the Irving Trust Co., trustee, to proceed with final consummation of the plan of reorganization.

Sole modification ordered in the decision provides that Atlas will pay $3 for each share of new stock to which it is entitled to subscribe as a creditor with claims totalling approximately $1,800,000.

During hearings before Judge Bondy on the agreement, both Carlos Israels, attorney for the Creditors' Committee, and the S.E.C. pointed out the "inconsistent" position of Atlas if it could obtain its proportionate share of new stock at $2.75 by refusing to subscribe as a creditor.

Judge Bondy, in modifying the agreement, stated that Atlas "had voluntarily agreed to a modification" in a stipulation "without any determination by the court that the underwriting proposal was unfair in any respect." Credit is given to the S.E.C. for its "very thorough and helpful report" which was submitted at the hearing.

The opinion concludes by stating

(*Continued on page 3*)

Spee Newsreels Due Here Today

First newsreel shots of the *Graf Spee's* arrival in Montevideo harbor and of its commander, Captain Hans Langsdorff, who took his own life in Buenos Aires yesterday, are scheduled to arrive at Newark Airport early today.

All five reels expect delivery of this material, although some anticipate delivery of several hundred more feet than others. All reels plan to get out specials on their *Graf Spee* material, supplementing the regular midweek issues which were made up last night.

A second shipment from Montevideo is expected to arrive by plane tomorrow or Saturday with material covering the scuttling of the Nazi pocket battleship last Sunday. If the material arrives tomorrow or early Saturday

(*Continued on page 2*)

Spee Newsreels Due Here Today

(*Continued from page* 1)

it will be sent out as a special; otherwise, it will probably be held for release early next week.

Unfavorable weather in the East yesterday hampered the reels in their coverage of the arrival at New York of the cruiser *Tuscaloosa* with 579 members of the crew of the scuttled German liner, *Columbus,* aboard, and also forced down the *American Clipper* at Baltimore.

Reels had been expecting new shipments of material on the Soviet invasion of Finland to arrive on the *Clipper,* but had to be made up last night without new European material.

Where the reels ordinarily would have chartered planes to carry photographers to the *Tuscaloosa* at sea, yesterday's weather prevented this. Tugs were chartered instead and went down the bay to meet the incoming cruiser. Hampered by fog so thick that the *Tuscaloosa* was forced to proceed at a pace that delayed her docking by several hours, the reels also were obliged to charter tugs to carry lights. Naval regulations prohibit the use of flares aboard vessels.

Despite the handicaps the *Tuscaloosa* material was ready in time for inclusion in last night's newsreel releases.

Because of the Monday holiday, some reels will make up Tuesday's releases tomorrow and Saturday.

Joseph Singer Dies

Joseph Singer, United Artists salesman in Philadelphia for more than four years, died suddenly of a heart atack Monday morning.



★

UNITED...

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Overnight to the coast. Luxurious Mainliner sleepers — the "Continental" leaving New York 5:15 pm, and the "Overland Flyer" leaving New York 10:45 pm. Finest meals aloft. Call travel agents, hotels, or

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UNITED AIR LINES

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Accumulated Game Money to Charity

Philadelphia, Dec. 20. — Harry Fried, operator of a suburban circuit, abandoning games, found that $375 had been accumulated. With the approval of his patrons he distributed most of it to four suburban charities.

Philadelphia Earle Plans Pictures Only

PHILADELPHIA, Dec. 20.—The Earle, closed because of difficulties with the musicians union, will reopen Saturday as a first run film house, according to David Weshner, central zone manager for Warners, with "The Invisible Stripe" scheduled, to be followed by "Destry Rides Again."

Weshner said that an attempt will be made to establish the Earle as a first-class film house and it will show A pictures. He said that vaudeville will be kept out of the local Warner houses as long as the union persists in the demand that they spend $175,000 for musicians annually.

New Picture Taxes Feared in Canada

TORONTO, Dec. 20.—Increased taxation of both direct and indirect nature and an upward trend in excise duties on imports, which will affect the film industry in the Dominion, are expected to be introduced at the 1940 session of the Canadian Parliament, opening Jan. 25.

The Government has intimated that it requires additional revenue because of the war and will attempt to finance its war operations, already exceeding $1,000,000 per day, on a pay-as-you-go basis.

Boston Anti-Trust Hearing Year Old

BOSTON, Dec. 21.—Today is the first anniversary of the anti-trust case of the Aetna Amusement Enterprises and six other companies versus major distributers. The hearing, now in progress, started on Dec. 21, 1938. Roy Haines, Eastern sales manager for Warner, Morris Kurtz, New Jersey sales manager for Fox and Joseph J. Lee, Fox sales manager for the New York Exchange, testified yesterday. It is expected that witnesses will continue to be called for another two weeks.

Cinema Lodge Meeting

Cinema Lodge, B'Nai Brith, will meet tonight at the Hotel Edison. Col. Ralph Steinberg, of the Anti-Defamation League, will speak. A. W. Schwalberg, president of the lodge, will preside.

Plans Spy Series

HOLLYWOOD, Dec. 20.—Monogram is seeking the services of Kay Linaker and Warren Hull to be co-starred in a new series of pictures to be based on American spy hunts.

Delay Hays Meeting

The quarterly meeting of the M.P.-P.D.A. board of directors scheduled for yesterday was postponed until noon today because of a lack of a quorum.

News Notes From Hollywood Studios

HOLLYWOOD, Dec. 20.—JEANIE MACPHERSON will write the original screen treatment for C. B. DEMILLE's next picture to follow "North West Mounted Police" . . . an untitled story concerning the life of Mary, mother of Jesus. JAMES COWAN, playwright, has been signed to work on the screenplay. . . . PETER LORRE, last at 20th Century-Fox as "Mr. Moto," has been set for "I Was An Adventuress" at the lot.

JOHN GARFIELD replaces JAMES STEWART and OLIVIA DE HAVILLAND replaces JANE BRYAN in Warners' "Married, Pretty and Poor." . . . MARK SANDRICH will produce and direct the FRED ALLEN-JACK BENNY picture, as yet untitled, for Paramount. It gets under way sometime next July. . . . UNA O'CONNOR goes into Warners' "The Sea Hawk" remake. . . . JULIE CARTER will be WILLIAM BOYD's leading woman in "Hold Your Horses," Sherman-Paramount. . . . LARRY DARMOUR's next JACK HOLT picture for Columbia will be "Passport to Alcatraz," with LEWIS D. COLLINS directed the ALBERT DEMOND original screenplay. . . . FREDDIE BARTHOLOMEW will take time off from his frequent court appearances to appear in TOWNE-BAKER's "Tom Brown's School Days," for RKO release. . . . HARRY WEBB has been signed by Monogram to produce the JACK RANDALL western films, first of which will be "Pioneer Days."

Universal and ALBERT ROGELL are discussing a deal under which ROGELL would return to the lot and direct three pictures. . . . WILLIAM DIETERLE will cover virtually every state in the Union during his six-week motor tour, to be made as soon as he can get away from his recent task of directing Warners' "The Life of Dr. Ehrlich" . . . SIDNEY LANFIELD, director of "Public Deb No. 1," 20th Century-Fox, will receive technical advice from MADELEINE FRELINE, St. Louis post-debutante. . . . WESLEY RUGGLES, producing and directing "Too Many Husbands" for Columbia release, is using divorce data gathered from Reno, New York, Miami, Boston and Chicago courts by him and writer CLAUD BINYON.

Calling Operators In St. Louis Action

ST. LOUIS, Dec. 20.—Munro Roberts, attorney for a group of members of the operators' union who have intervened in the permanent injunction suit now being heard in Circuit court here, announced today he intends to call all of the 180 members of the union to testify in the case.

His object, Roberts said, is to prove that a majority of the members do not want an injunction issued against John P. Nick, deposed head of the union, and Clyde A. Weston, business agent, defendants in the suit.

P. C. A. Names Read

J. Parker Read, Jr., has been appointed the New York representative of the Producers' Corporation of America whose first production will star John Charles Thomas in Adela Rogers St. John's "Kingdom Come."

Purely Personal

STANTON GRIFFIS, chairman of the Paramount executive committee, and ROBERT GILLHAM, advertising publicity director, returned to New York yesterday from Miami. NEIL AGNEW, LEONARD GOLDENSON and OSCAR MORGAN will arrive today and AL WILKIE on Monday.

•

LEWIS M. LAWTON and NORMAN C. NICHOLSON, film attorneys, have formed the firm of Lawton & Nicholson, with GEORGE D. BURCHELL as a member.

•

SUZANNE READE, daughter of WALTER READE, circuit head, and EDWIN GAGE are to be married.

•

EZRA STONE, known professionally as HENRY ALDRICH, arrived from Hollywood today.

Van Schmus Party Honors Laughton

W. G. Van Schmus, managing director of the Music Hall, was host yesterday to Charles Laughton at a cocktail party in the studio apartment at the Music Hall. Laughton's new starring vehicle for RKO, "The Hunchback of Notre Dame," opens at the Music Hall on Dec. 28.

Among those present were Laughton, Elsa Laughton, George Schaefer, Ned Depinet, S. Barret McCormick, Walter Hampden, Hazel Flynn, Rutgers Neilson, Jack Hively, Cresson Smith, Paul Reisman, Gus Eyssel, H. M. Richey, Tom Wenning, Edmond O'Brien, Sir Cedric Hardwicke, Alvin Goldstein, Harry Michalson, William Merrill, John Farmer, Charles Nicholls, Harold Corbin, Malcolm Kingsbreg, Leon Goldberg, A-Mike Vogel, George Tucker, William Boehnel, Harold Clemenko, William Mallard, Gordon Youngman, Jack Stinnett, Frank Farrell, Sam Shain, Colvin Brown and Howard Barnes.

Vaudeville in Camden

CAMDEN, N. J., Dec. 20.—The Tower here will embark on a vaudeville policy, according to Rex Riccardi, secretary of the Musicians Union here. The house, owned by A. M. Ellis, will get the shows from Fays in Philadelphia.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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Bondy Gives His Approval To RKO Plan

(*Continued from page* 1)

that "after careful consideration of the evidence, the court approves the underwriting proposal as modified."

The agreement may be withdrawn by Atlas if the U.S. Supreme Court grants the right to review appeals before it from confirmation of the plan of reorganization by Judge Bondy. In addition, Atlas may withdraw if RKO fails to offer the new stock to creditors and Rockefeller Center by Dec. 31 with a 20-day option to subscribe.

Today the Board of Directors of the debtor company will meet to transact the formal transfer of assets of the debtor company, Radio-Keith-Orpheum, of Maryland, to the new parent company, Radio-Keith-Orpheum, of Delaware, subject to the approval of the court. Once this is approved by Judge Bondy, and depending upon disposition of pending appeals before the U. S. Supreme Court, RKO stands a chance of emerging from its 77B situation in the next two or three months. It has been in receivership or bankruptcy since January, 1933.

The securities which are to be issued in reorganization under the Atlas Corporation underwriting plan will be issued by the new parent company.

NBC Will Televise Symphonic Shorts

Use of symphonic short subject films by NBC's television station, W2XBS, will help rather than hinder the popularity of such reels in theatres, according to Lou Diamond, in charge of short subject production and distribution for Paramount.

Diamond's remarks were made in connection with the disclosure by NBC that it had purchased the rights to televise a series of 13 symphonic and operatic shorts produced by Frederick Feher, director of the National Philharmonic Orchestra of the U.S.A.

Paramount released three of Feher's shorts last season and is releasing three more this year. These six are not included in the 13 which NBC will televise, however.

Sherwood Trial Set

Trial of the suit of Robert E. Sherwood and the Playwrights Producing Co. against Twentieth Century-Fox was set down yesterday for Jan. 2 before N. Y. Supreme Court Justice Peter Schmuck. The action seeks an injunction against the defendant for alleged unfair competition to Sherwood's play, "Abe Lincoln in Illinois," by the film, "Young Mr. Lincoln."

Club Party a Sellout

KANSAS CITY, Dec. 20.—The Variety Club New Year's Eve party in the clubrooms is a sell-out at $5 per couple. The limit is 100 persons. In charge are C. E. Gregory, J. W. Lewis, and L. F. Durland.

Louis Frappier Dies

Louis Frappier, 58, vice-president in charge of manufacturing of International Projector Corp., died suddenly yesterday.

More N. Y. 'Wind' Praises

The following excerpts are from the reviews of "Gone With the Wind" by the film critics of New York's evening newspapers:

Journal and American—"Gone With the Wind" is not only here, but also, judging by the lines at the box-office, here to stay . . . a magnificent achievement. Producer David O. Selznick has accomplished at one and the same time an engrossing entertainment, a spectacle of consummate artistry, and the definitely colossal job of trying to please all the sternly opinionated readers of the Mitchell best-seller.—By Rose Pelswick.

Post—In the future, one suspects, all monster movie productions will be judged against the bulk and opulence of "Gone With the Wind." . . . Represents a supreme effort of 1939 . . . Scarlett O'Hara and Rhett Butler . . . are almost perfect vehicles for an average audience's wish-fancies . . . could not have been made more effectively into a film. . . . There can be nothing but delight in the picture for readers of the book.—By Archer Winston.

Sun—Straight from the heart of Margaret Mitchell's novel, "Gone With the Wind" comes to life. The picture rushes, like the book, from one moment of drama to another . . . a magnificent production. . . . No one who enjoyed the book should find the least fault with the picture. . . . A glittering, unforgettable Christmas gift for the moviegoers of America. —By Eileen Creelman.

World-Telegram—For star and film it was an evening of triumph—albeit, in my opinion, for the former more than for the latter. . . . Faced with a task almost as overwhelming as bringing Margaret Mitchell's fabulous novel to the screen, Vivien Leigh does an exciting job. . . . Call it, then, a magnificent film, if not a truly great one.—By William Boehnel.

Amateur Night Has Wisconsin Revival

MILYAUKEE, Dec. 20. — Amateur night entertainment is making a strong comeback in various local houses and elsewhere in the state. Local houses which have been featuring the shows include Fox's Zenith, Paradise, Riviera and Venetian, which tied up with a local clothing firm on its presentation to offer prizes. In addition, the Mirth, National, Regal and Riverside have been conducting amateur night.

Elsewhere Fox has tied in with a loan company at Marinette to stage contests alternately at the Fox and Lloyd each Sunday afternoon with airings over WMAM. The Plaza in Burlington is holding an amateur show for children with a broadcast from its stage each Saturday afternoon over WRJN, while the Roosevelt in Kenosha has announced local talent shows on Saturdays nights.

Omaha Musicians Elect

OMAHA, Dec. 20.—Members of Local No. 70, American Federation of Musicians, have reelected Peter Chrisman president for 1940. Other officers are: Ernest Nordin, vice-president; Harold Pace, secretary, and Mike Chaloupka, treasurer.

To Revive 'Bar Room'

OKLAHOMA CITY, Dec. 20.—K. Lee Williams, veteran of roadshows, plans to revise and release the Willis Kent production of "Ten Nights in a Bar Room," starring William Farnum. Williams owns the exclusive world rights.

Writer Settles Suit

Samson Raphaelson, writer, has settled his $25,000 breach of contract suit against Robert T. Kane, in N. Y. Supreme Court.

'Goose Step' Passed

RICHMOND, Dec. 20.—"Hitler, Beast of Berlin" in amended form and under another name, "Goose Step," has been licensed by the state board of film censors.

Radio Brevities

One of the largest daily sponsored news series has been set by WTAM, Cleveland, with the Standard Oil Co. of Ohio. Two five-minute programs and two 10-minute periods will be broadcast daily over WTAM, Mondays through Saturdays.

Albert Orrick of the NBC New York news staff will be transferred to Cleveland to work with Bob Daily, WTAM news editor. Milton Berg, NBC news editor, will go to Cleveland to help start the program on Jan. 1.

The Chesterfield show over CBS will have Glenn Miller's band and the Andrews Sisters instead of Paul Whiteman Wednesday, Dec. 27. After that program, the show will be split into three 15-minute periods, heard Tuesdays, Wednesdays and Thursdays at 10 P.M., instead of the half-hour weekly show, with Miller and the Andrews Sisters as the new talent.

Moving into the Chesterfield 8:30 P.M. Wednesday spot on Jan. 3, will be the "Dr. Christian" series, with Jean Hersholt, for Cheseborough Vaseline. "Dr. Christian" is now heard at 10 P.M.

Col. Stoopnagle's "Quixie Doodle" program has been renewed for an additional 13 weeks by the Mennen Co. for its shaving products effective Jan. 12. The program is heard over 10 Mutual stations Fridays at 8 P.M.

Sun Oil Co. has renewed Lowell Thomas' "The Day's News" for another 52 weeks, non-cancellable, effective Jan. 29. Thomas, who has the highest rating among news commentators, has been on the air without a break for the same sponsor since June 13, 1932. The program is heard Monday through Friday at 6:45 P.M. over 16 NBC Blue and Red stations, and Monday, Wednesday and Friday on five more.

A new publicity office was opened recently called "Voices, Inc.," which will offer broadcasters desk space and telephone service.

Studios Hold Level With 41 Films in Work

HOLLYWOOD, Dec. 20. — Production maintained an even keel this week, as 41 pictures continued before the cameras, nine having finished and nine started.

The tally by studios:

COLUMBIA—Finished: "The Lone Wolf Strikes," "Convicted Woman."
In Work: "Five Little Peppers at Home."
Started: "Blondie on a Budget," "Texas Express," "Too Many Husbands."
M-G-M—Finished: "The Shop Around the Corner," "Congo Maisie."
In Work: "Broadway Melody of 1940," "Strange Cargo," "Florian," "Young Tom Edison," "New Moon," "Arouse and Beware," "I Take This Woman."
MONOGRAM—Started: "Cupid O'Brien," "Pioneer Days."
PARAMOUNT—Finished: "At Good Old Siwash."
In Work: "Buck Benny Rides Again," "Safari," "The Way of All Flesh," "Golden Gloves."
Started: "Down Went McGinty," "Hold Your Horses."
PRODUCERS PICTURES — In Work: "Sagerbrush Family Trails West."
RKO—Finished: "Bullet Code."
In Work: "The Primrose Path," "Irene," "Little Orvie," "Millionaire Playboy," "Bill of Divorcement," "My Favorite Wife."
REPUBLIC—In Work: "The Wolf of New York," "Dark Command," "Village Barn Dance."
ROACH—In Work: "1,000,000 B. C."
SMALL—In Work: "My Son, My Son!"
20th CENTURY-FOX—In Work: "Shooting High," "Dance with the Devil."
Started: "Hotel for Women Number Two" (tentative title).
UNIVERSAL — Finished: "Charlie McCarthy, Detective," "Oh, Johnny, How You Can Love."
In Work: "My Little Chickadee," "The Devil is Yellow."
Started: "Rigadoon."
WARNERS—Finished: "The Life of Dr. Ehrlich."
In Work: "Virginia City," "We Shall Meet Again," "And It All Came True."

CBC Interference Blamed on Mexico

TORONTO, Dec. 20.—Interference in radio reception on Canada's supposedly clear channels is primarily due to three "pirate" stations in northern Mexico, according to W. E. Gladstone Murray, general manager of Canadian Broadcasting Corp. The stations are operated by United States interests and the Mexican Government should take the responsibility for the trouble, Murray declared.

Canada, the United States, Cuba and Central American countries have approved the agreement reached in Havana for the elimination of interference about 18 months ago, he continued, but Mexico has not yet signed the pact.

Enjoins 'Arms' Sale

Federal Judge Alfred C. Coxe has restrained Harry Jacobs, now doing business as the Garden Camera Exchange, from manufacture or sale of prints of "Shoulder Arms," pending trial. Charles Chaplin had sought the injunction, charging unauthorized sale of his film.

Revive Blue Laws

HOBBS, N. M., Dec. 20.—The city fathers of Hobbs, southeastern New Mexico oil town, dug up a 150-year old blue law and ordered a Sunday lid clamped on all business. Exempted was baseball and similar sports.

WHAT A

CALIFORNIA says, "It's Bigger Than The Rose Bowl!"

Los Angeles, Cal.—"'GULLIVER'S TRAVELS,' previewed last night at the Westwood Village Theatre, is a celluloid Christmas present to movie-goers everywhere. A movie destined to make a fortune for its makers and surprise you with priceless entertainment!" *—Erskine Johnson, Los Angeles Examiner*



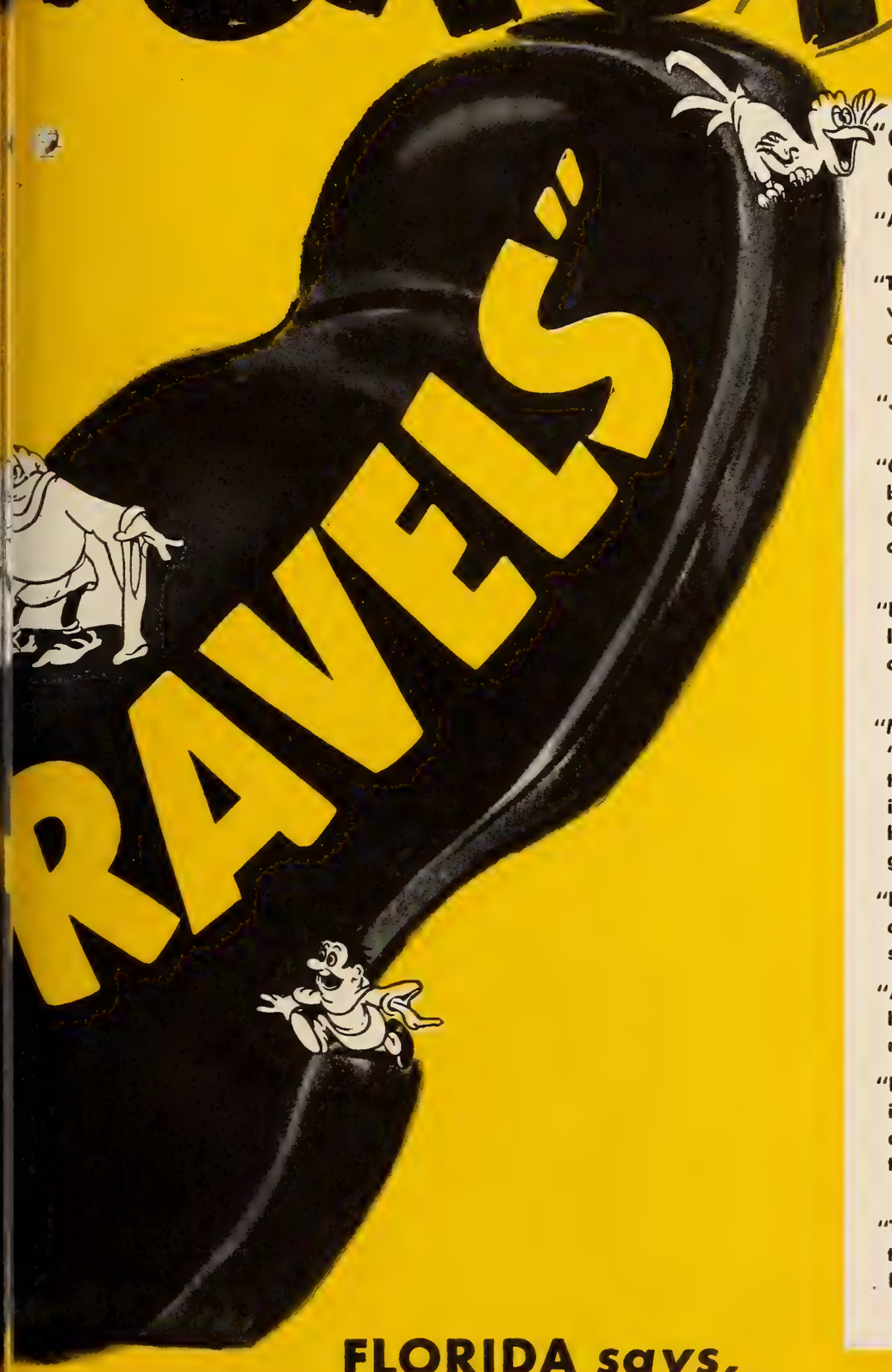
Paramount's

"GULLIVER'S

in Technicolor!

A FULL-LENGTH FEATURE CARTOON
PRODUCED BY MAX FLEISCHER · DIRECTED BY DAVE FLEISCHER
A PARAMOUNT PICTURE

ICKOFF!



"GULLIVER" KNOCKS CRITICS FOR A GOAL!

"A Christmas theatre treat!"
—*Walter Winchell*

"The picture we've been waiting for—with all the beauty of 'Snow White' and none of its shocks!"
—*Jimmie Starr, Los Angeles Examiner*

"Just the picture Santa ordered!"
—*Hedda Hopper*

"Color cartoon history is made anew by 'Gulliver's Travels.' A first-rate Christmas present for the movie-goers of the nation. Gabby is tops!"
—*Edwin Schallert, Los Angeles Times*

"Exciting and unforgettable. Utter delight. If 'Snow White' didn't win you over, then 'Gulliver's Travels' will!"
—*Los Angeles Daily News*

"Mandatory for exhibition everywhere. 'Gulliver' is a much more amusing picture than 'Snow White,' much stronger in comedy values. The musical numbers run neck and neck. A great and glorious picture!" —*M. P. Daily*

"Delightful, novel entertainment for adult and youngster. An endless source of amusement!" —*Daily Variety*

"A tremendous success. The Fleischers have given the world a swell Christmas present!" —*Hollywood Reporter*

"Possessing limitless appeal... feature is well-nigh flawless. Compares favorably with anything ever produced through the pen and ink technique!"
—*Boxoffice*

"Thoroughly enjoyable package of entertainment for the whole family. Can't help but please all those who see it!"
—*Variety*

FLORIDA *says,*
"It's Bigger Than The Orange Bowl!"

Miami, Fla.—"In a double-barrelled world premiere that sold out both the Sheridan and Colony Theatres, Paramount unveiled Max Fleischer's version of 'Gulliver's Travels' to the cash customers here last night — and they loved it!" —*Film Daily*

Paramount Pictures

MOTION PICTURE DAILY'S BOOKING CHART

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Nov. 17		Another Thin Man *William Powell Myrna Loy*		Rulers of the Sea *Douglas Fairbanks, Jr.*	Saga of Death Valley *Roy Rogers*	Meet Dr. Christian *Jean Hersholt*	Too Busy to Work *Jones Family*		Tower of London *Basil Rathbone*	Dead End Kids on Dress Parade
Nov. 24	The Amazing Mr. Williams *Joan Blondell Melvyn Douglas*	Secret of Dr. Kildare *Lew Ayres Lionel Barrymore*	Roll, Wagons, Roll *Tex Ritter*	Our Neighbors, the Carters *Frank Craven Fay Bainter*		That's Right, You're Wrong *Kay Kyser Adolph Menjou*	Day-Time Wife *Tyrone Power Linda Darnell*		The Big Guy *Victor McLaglen Jackie Cooper*	We Are Not Alone *Paul Muni Jane Bryan Flora Robson*
Dec. 1	Cafe Hostess *Preston Foster Ann Dvorak*	A Call on the President *Ann Sothern Louis Stone*	Yukon Flight *James Newill*	Night of Nights *Pat O'Brien Olympe Bradna*	Cowboys from Texas *The Three Mesquiteers Carol Landis*	Reno *Richard Dix Gail Patrick*	City in Darkness *Sidney Toler* Inspector Hornleigh on Holiday		Laugh It Off *Johnny Downs Constance Moore*	Return of Dr. X *Humphrey Bogart Rosemary Lane*
Dec. 8	Fugitive at Large *Jack Holt* Taming of the West *Bill Elliott*	Henry Goes Arizona *Frank Morgan Virginia Weidler*	West of the Divide *John Wayne* Lucky Texan *John Wayne*	Llano Kid *Tito Guizar Gale Sondergaard*		Two Thoroughbreds *Jimmie Lydon Joan Brodel*	Barricade *Alice Faye Warner Baxter*		Man from Montreal *Richard Arlen Andy Devine*	Private Detective *Jane Wyman Dick Foran*
Dec. 15		Nick Carter—Master Detective *Walter Pidgeon Rita Johnson*	Gentleman from Arizona *Craig Reynolds* Westbound Stage *Tex Ritter*	All Women Have Secrets *Virginia Dale Joseph Allen, Jr.*	South of the Border *Gene Autry June Storey*		The Honeymoon's Over *Stuart Erwin Marjorie Weaver*		Missing Evidence *Preston Foster Irene Hervey*	The Mad Empress *Medea Novara Lionel Atwill*
Dec. 22		Judge Hardy & Son *Mickey Rooney Lewis Stone*		Gulliver's Travels *Lanny Ross Jessica Dragonette*	Days of Jesse James *Roy Rogers Charles Bickford* Thou Shalt Not Kill	Escape to Paradise *Bobbie Breen Kent Taylor*	Everything Happens at Night *Sonja Henie*	Slightly Honorable *Ruth Terry Pat O'Brien*	Charlie McCarthy, Detective *Edgar Bergen*	Four Wives *Lane Sisters Gale Paige*
Dec. 29	My Son Is Guilty *Bruce Cabot Jacqueline Wells*	Balalaika *Nelson Eddy Ilona Massey*	The Secret Four *Frank Lawton*	The Great Victor Herbert *Walter Connolly Mary Martin*	Money to Burn *Higgins Family*	Hunchback of Notre Dame *Charles Laughton*	The Cisco Kid and the Lady *Cesar Romero Marjorie Weaver*	Raffles *David Niven Olivia de Havilland*	Destry Rides Again *Marlene Dietrich James Stewart*	Invisible Stripes *George Raft Jane Bryan*
Jan. 5	Two-Fisted Rangers *Charles Starrett Iris Meredith*	The Earl of Chicago *Robert Montgomery Edward Arnold*	Danger Ahead *James Newill*	Emergency Squad *William Henry Louise Campbell*		Legion of the Lawless *George O'Brien*	Swanee River *Don Ameche Andrea Leeds*		Framed *Constance Moore Johnnie Downs*	A Child Is Born *Geraldine Fitzgerald Jeffrey Lynn*
Jan. 12	Music in My Heart *Tony Martin Rita Hayworth*	Congo Maisie *Ann Sothern John Carroll*	Fatal Hour *Boris Karloff*	Geronimo *Preston Foster Ellen Drew Andy Devine*	Heroes of the Saddle *Three Mesquiteers*	Mexican Spitfire *Lupe Velez Leon Erroll*	City of Chance *Lynn Bari C. Aubrey Smith*		The Invisible Man Returns *Sir Cedric Hardwicke Nan Grey*	Brother Rat and a Baby *Jane Bryan Priscilla Lane Eddie Albert*
Jan. 19	His Girl Friday *Cary Grant Rosalind Russell*	The Shop Around the Corner *Margaret Sullavan James Stewart*	Chasing Trouble *Frankie Darro*	Remember the Night *Barbara Stanwyck Fred McMurray*		Married and in Love *Alan Marshall Barbara Read*	He Married His Wife *Joel McCrea Nancy Kelly*	Rebecca *Laurence Olivier Joan Fontaine*		British Intelligence *Boris Karloff Margaret Lindsay*

Paramount Pictures

Book these PARAMOUNT SHORTS when you book your features!

DECEMBER 15 Cinecolor POPULAR SCIENCE #3

DECEMBER 22 Paragraphic TOUCHDOWN REVIEW

DECEMBER 29 Headliner FRANKIE MASTERS AND HIS ORCHESTRA

JANUARY 5 Color Cruise CUBA

100% BOX OFFICE tested

'Thin Man' Is Hub's Leader, Pulls $27,300

BOSTON, Dec. 20.—"Another Thin Man" and "Winter Carnival," in the second week, grossed $15,800 at Loew's Orpheum, and $11,500 at Loew's State.

Estimated takings for the week ending Dec. 13:

"Another Thin Man" (M-G-M)
"Winter Carnival" (U. A.)
LOEW'S STATE—(3,600) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $11,500. (Average, $11,000)
"Another Thin Man" (M-G-M)
"Winter Carnival" (U. A.)
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $15,800. (Average, $14,500)
"Disputed Passage" (Para.)
"Cat and the Canary" (Para.)
SCOLLAY — (2,500) (25c-35c-40c-50c) 7 days, 2nd run. Gross: $5,500. (Average, $4,500)
"Elizabeth and Essex" (W. B.)
"Private Detective" (W. B.)
METROPOLITAN — (4,332) (25c-35c-40c-55c) 7 days. Gross: $15,000. (Average, $14,500)
"At the Circus" (M-G-M)
"Bad Little Angel" (M-G-M)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $9,500. (Average, $7,000)
"At the Circus" (M-G-M)
"Bad Little Angel" (M-G-M)
FENWAY—(1,382) (25c-35c-40c-55c) 7 days. Gross: $5,500. (Average, $5,000)
"The Amazing Mr. Williams" (Col.)
"Tower of London" (Univ.)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days. Gross: $15,000. (Average, $14,500)
"Those High Grey Walls" (Col.)
"Miracle On Main Street" (Col.)
"Under-Pup" (Univ.)
"Nurse Edith Cavell" (RKO)
"Prison Train" (Cameo)
"Sabotage" (Imp.)
KEITH BOSTON—(3,200) (25c-35c-40c). Gross: $9,300. (Average, $9,000)

Wisconsin Houses Spread Xmas Cheer

MILWAUKEE, Dec. 20.—Wisconsin exhibitors, alone or in cooperation with local groups, are doing their part to bring Christmas cheer to the less fortunate.

In Racine, on Dec. 23, 12,000 school children will be the guests of local theatres at a free show. Funds were raised through a "Night of Stars" program.

Many Milwaukee theatres have held benefit shows with canned goods or toys as admission, including the National, Egyptian, Lake, Parkway, Tower, Oriental, Milwaukee, Paradise, Tosa and Ritz.

Benefit theatre parties also have been held by the Towne, New Holstein; Rialto and Vaudette, Kaukauna; Fox, Marinette, Retlaw, Fond du Lac; Appleton, Appleton; while free shows were held at the Fort, Fort Atkinson; Fox, Stevens Point; Orpheum and Capitol, Madison.

More Variety Members

OKLAHOMA CITY, Dec. 20.—Tent 22 of the Variety Club here has increased its membership during the past week to 85. New members include Roy Avey, Frank McCabe, and Lester O. Gibbs, bookers for Griffith Amusement Co., and Leonard Bateman, head of Griffith poster department; K. Lee Williams, president of K. Lee Williams Theaters, Inc.; L. W. Royalty, office manager for the M-G-M exchange, and Bruce Palmer, film critic for the *Daily Oklahoman* and *Times*.

Short Subject Reviews

"Snow Follies"
(Universal)

With little excuse for the title, this is a series of variety turns in the setting of a snowbound country club. The Fanchonettes are a chorus line, and the specialists include Lillian Roth, a clever roller-skating trio, Bruce Holden, tenor; the King Sisters, vocal quartette, and several others. Running time, 19 mins.

"The Blue Danube"
(M-G-M)

Hugh Harman has fitted a color cartoon to the lilting Johann Strauss music of the famous waltz, and the color effects are overwhelming. The legend describes how nature, under the aegis of a Good Fairy, contrived to make the Danube blue. There is a striving toward delicate fantasy and lack of comedy. Running time, 9 mins.

"Valiant Venezuela"
(M-G-M)

This FitzPatrick Traveltalk holds interest for its historical background of Simon Bolivar's fight for liberation of South America from the Spanish yoke. Pictorial and commentary content is well done and the narration brought up to date by allusions to the fight of oppressed peoples against dictators. Well worth playing. Running time, 9 mins.

"Forgotten Victory"
(M-G-M)

One of the best of John Nesbitt's "Passing Parade" series, this tells of the dramatic fight of a scientist in the Department of Agriculture against ravages that destroyed wheat crops late in the last century. Mark Carleton, after years of search, finally found a wheat in Russia which would withstand drought and rust. Then came years of heartbreaking endeavor to introduce the new seed, which eventually made this the leading wheat producing country. Carleton triumphed in death, unhonored and unsung. Running time, 9 mins.

"Stranger Than Fiction, No. 69"
(Universal)

Always interesting in its picturing of oddities, this reel features a 19-year-old boy who is 7 feet, 3 inches tall; the manufacture of koroseal, chemical composition which serves as cloth, and the shaping of growing pumpkins into faces, through the use of aluminum masks. Running time, 9 mins.

"Stranger Than Fiction, No. 70"
(Universal)

Interesting highlights of this series of odd facts are the Philadelphian who has worked for five years constructing an amazing model of the Delaware River Bridge; an alligator farm run "for fun" in New Orleans; the world's largest oak tree, in Louisiana, and the champion bubble blower, who shows amazing skill. Running time, 9 mins.

"Sky Game"
(RKO Pathe)

The sport known as duck-hunting is described with considerable effectiveness in this "Sportscope." Filmed at Avery Island in Louisiana, the reel describes the habits of pintails, mallards and other wild birds and the methods used to prevent their extinction. Then the camera picks up an actual duck hunt and shows how it's done. Should please. Running time, 9 mins.

Information, Please No. 4
(RKO Pathe)

The experts of "Information, Please" entertain Deems Taylor, the music critic, as their guest. Covering their customary wide range of subjects, the experts provide a merry interlude. Judging by the mail response to their radio program, they are just as popular in the rural sections as they are in urban areas. Clifton Fadiman, as master of ceremonies, John Kiernan, Franklin P. Adams and Oscar Levant make up the regular board. Should produce plenty of laughs. Running time, 11 mins.

"Time Out for Lessons"
(M-G-M)

"Our Gang" series is becoming streamlined, and this one is a deft melange of kid comedy, jitterbug musical and moral. Alfalfa neglects his homework for football, and his father visualizes for him what would happen when he gets to college, makes the football "All American" and then is barred from playing in the crucial game because he failed in his classes. Whereupon Alf promises to reform. The sequence of the Gang at college is highly diverting. Running time, 11 mins.

"Scrambled Eggs"
(Universal)

Little Peterkin mixes the eggs in the nests of the maternity tree of birdland, with unexpected results. Mothers and fathers walk out and the elf is left to take care of the youngsters. He is only too glad to admit his trick. Only an average color cartoon. Running time, 8 mins.

"Going Places, No. 69"
(Universal)

The Virgin Islands are the subject of this travel subject. Pictured are St. Thomas and its capital city, Charlotte Amalie, which still carry many indications of its former Danish ownership, and the French quarter of the town, inhabited mostly by fishermen. An interesting subject. Running time, 9 mins.

"Going Places, No. 70"
(Universal)

That species of turtle known as Diamond-Back Terrapin forms the subject matter of this subject. Nearing extinction early in this century, the Government waved a protecting hand over the turtles, and at its Beaufort, N. C., hatchery, takes care that the supply shall not again be endangered. The reel also pictures St. John, one of the more beautiful parts of the Virgin Islands. Running time, 9 mins.

"West Wall"
(RKO Pathe)

One of the best explanations of the military maneuvers on the western front is given by Major George Fielding Elliott, author of the best seller, "The Ramparts We Watch," in this "Reelism." Illustrating his lecture with ingenious diagrams, maps and actual views of the French and German fortifications, Major Elliott explains the strategy from an impartial viewpoint. Photographically, the reel is well above par, and shots of tank traps and snow-covered barbed wire highlight the commentary. A "must." Running time, 10 mins.

"Romance of the Potato"
(M-G-M)

Pete Smith comes through with another humdinger. He finds romance in the history of the lowly spud, its discovery by a Spanish explorer in South America and its introduction to the civilized world. Involved are such historical characters as King Charles of Spain, Queen Elizabeth of England, King Louis and Marie Antoinette of France, as well as the French revolution, in which the potato played an important part. This is an excellent subject. Running time, 9 mins.

"Winter Playground"
(RKO Pathe)

Winter sports in Quebec are attractively presented in this "Sportscope." Far from the usual skiing reel, "Winter Playground" captures the fun and gaiety of the snowclad hills. Tobogganing, skating and riding on dogsleds are featured, together with skiing. The cameraman boards a toboggan on a ride down the chute for one thrilling shot. A real treat. Running time, 9 mins.

"See Your Doctor"
(M-G-M)

Robert Benchley is stung by a bee—or so he thinks—but his brother-in-law knows better and suggests it might be the bite of black widow spider. The resultant fireworks as Benchley is rushed to a hospital and almost collapses while nurse and doctor take their time handling his case, and the swelling meantime disappears, are excrutiatingly funny. Hobart Cavanaugh is the brother-in-law and Monte Wooley, beard and all, is the loctor. Running time, 8 mins.

Censors in Japan Hit Durbin Picture

The censorship division of the Japanese Ministry of Education yesterday was reported in cabled dispatches from Tokyo to have pronounced the Deanna Durbin picture, "Three Smart Girls Grow Up," as "unfit for children", thus banning it to all under 14 years. The classification will apply after Jan. 1, when Japan's new film regulations become effective, it was said.

American film distributors in Tokyo recently protested to Ambassador Grew that Japanese authorities were not complying with their agreement of a year ago pertaining to issuance of customs releases for films imported from America and to currency remittances covering print costs.


A HAT FULL
OF REASONS!
The NATIONAL SCREEN TRAILER is the best Seller in the Business! ★ Advertising that puts your sales argument over quickly and graphically! ★ Advertising that appeals to customers while they are in your theatre and in a mood to buy. ★ Advertising that entertains while it sells. ★ Advertising that is heard as well as seen!
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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 122 NEW YORK, U. S. A., FRIDAY, DECEMBER 22, 1939 TEN CENTS

Theatres See Business Gain For Holidays

Plan Special New Year's Eve Attractions

Theatres throughout the United States anticipate box-office increases this weekend and next because of the two-day Christmas and New Year's holidays.

New Year's particularly is expected to show sharp gross increases, with special midnight shows planned and many theatres booking stage shows. A heavy advance sale of reserved seats is reported in many cities.

In New York, almost all first run and neighborhood houses will add extra shows for New Year's Eve. Not all price policies have been set yet, but most of the houses will charge slightly advanced prices. No extra shows are planned for Christmas Eve except at the Strand where a special late show will start at 11:45.

At the Paramount, "Gulliver's Travels" will be the film attraction with Glen Gray's band, Jimmy Savo and the Merry Macs on the stage. Admission prices for the New Year's Eve show will be $1.65. At the Roxy, where "Swanee River" will be the film attraction with a special holiday show on the stage, either $1.50 or $1.65 will be charged. No advances will be made at the Music Hall where

(*Continued on page 4*)

Agree on Changes In Copyright Law; Congress Will Act

Final meeting of the Shotwell committee on new copyright legislation yesterday resulted in nearly complete agreement on all proposals by the many industries concerned.

A final draft of the proposed legislation will be prepared immediately and sent to the State Department and Senator Bone, chairman of the Senate Patents committee, in advance of the opening of Congress, Jan. 3. Disputed points will be left to Congressional committees for determination.

Representatives of the film, radio, book and music publishers, dramatists, composers and authors and others, participated in the drafting of the new copyright legislation.

All interests reached agreement on the more important phases of the new legislation. Among these are the minimum damage, divisibility and copyright on creation provisions.

The disivibility agreement recognizes a separate right for each of the various commercial uses to which an author's work may be put, such as the screen right, the dramatic right, television, book, magazine and, in the case of music, performing, recording and other rights.

The right to each may be sold separately and actions may be brought on behalf of any one of the rights without joining possessors of any of the other rights.

The provision for copyright on creation recognizes an author's or composer's work as personal property for

(*Continued on page 4*)

ROONEY CHAMPION BOX-OFFICE DRAW

650 at Dinner Honor Brandt

In recognition of his 25th anniversary as an exhibitor, 650 persons, among them distinguished motion picture, civic, political and business leaders, paid tribute last night to Harry Brandt, president of the New York I. T. O. A., at a dinner at the Hotel Astor.

On the dais, in addition to the guest of honor, were Lieut. Gov. Charles Poletti, Senator Robert Wagner, Councilman Robert Wagner, Jr., former Mayor James J. Walker, License Commissioner Paul Moss, Samuel Rinzler of the Randforce circuit; George J. Schaefer, RKO president; Nate J. Blumberg, Universal president; William F. Rodgers, M-G-M general sales manager; Ned E. Depinet, RKO vice-president; Jack Cohn, Columbia vice-president; Harry L. Gold, United Artists vice-president; Judge Mitchell May; Louis Nizer, attorney; Milton C. Weisman, I.T.O.A. general counsel; David Weinstock, I.T.O.A. chairman of the board; W. G. Van Schmus, managing director of Radio City Music Hall; City Comptroller Joseph D. McGoldrick, Gilbert Josephson of the World theatre and

(*Continued on page 3*)

M.P. Herald-Fame Poll Puts Power Second and Tracy Third

The exhibitors of the United States, circuit and independent, by a wide margin declared young Mickey Rooney the outstanding money making star of 1939, in the annual *Fame-Motion Picture Herald* exhibitor poll of Money Making Stars.

The full list of the leading 10 money making stars follows, in the order of their exhibitor evaluation, based on patron cash across the counter, and the percentage each attained:

1.	Mickey Rooney	870
2.	Tyrone Power	677
3.	Spencer Tracy	556
4.	Clark Gable	412
5.	Shirley Temple	339
6.	Bette Davis	315
7.	Alice Faye	271
8.	Errol Flynn	253
9.	James Cagney	226
10.	Sonja Henie	219

A total of 12,273 exhibitors were polled, 8,069 of whom were independents and 4,204 operators of circuits.

They answered this request: "Please list in the order of their box-office strength the 10 players whose pictures

(*Continued on page 4*)

Labor Board Ruling Affects N.Y. Circuits

A theatre circuit may be classified as a single bargaining agency despite the fact that the theatres which it operates are owned by different corporations with different stockholders, the New York State Labor Relations Board decided yesterday. The decision is expected to affect about 50 cases involving independent houses in New York City.

Endicott Circuit (Nelson & Renner), comprising 11 Brooklyn theatres, was designated as one unit in a case brought by the Motion Picture Division of the Theatrical Managers, Agents and Treasurers Union. The board decided, however, that man-

(*Continued on page 2*)

Christmas Bonuses By Para., Warners

Paramount yesterday paid a Christmas bonus of one week's salary to all home office employes earning $40 a week or less.

Warners distributed a bonus of one week's salary to those earning $25 or less and $25 to those earning $25 to $100 a week.

All divisions of National Theatres are giving bonuses. Arthur M. Loew, vice-president of M-G-M in charge of the international division, has given a personal bonus to his New York staff of one week's salary, plus $25 for Christmas dinners, regardless of salary. This is in addition to the bonus declared earlier this week by the company to home office employes earning less than $40.

Christmas Parties Today For Home Office Staffs

The film industry in New York will start celebrating the Christmas holiday at noon today. A number of festive get-togethers are scheduled. At some of the offices and exchanges there will be the usual informal parties.

George Skouras, president of Skouras Theatres Corp., will be host at a luncheon at the St. Moritz Hotel to executives and members of the office staff as well as film company executives and officials of 20th Century-Fox. About 100 are expected. William White, general manager of Skouras Theatres, is in charge of arrangements.

Nicholas M. Schenck, president, and other M-G-M heads are expected at the luncheon for home office employes in the grand ballroom of the Hotel Astor. A Loew managers' band will play for dancing. There will be prizes and various stunts. Arrangements were made by a large committee headed by Oscar A. Doob. More than 900 will attend. The home office will be closed officially at 12:30 o'clock.

Home offices of Warners, RKO and United Artists will close at 1 P. M. and 20th Century-Fox at 3 P. M. Paramount will close at 3 P. M., at which time the annual party of the Paramount Pep Club will start.

At Columbia and Universal informal parties will get under way early in the afternoon. Monogram will close at 3 P. M., and will be closed tomorrow. Most Republic departments will close tomorrow. Republic employes were given a half-day off during the week for Christmas shopping.

No Paper Monday

***Motion Picture Daily* will not be published on Monday, Dec. 25, Christmas Day.**

Purely Personal

HAL HORNE, vice-president of Walt Disney Productions, has been ill at his home since he returned from the Coast Monday, but is expected at his office next week.

•

ARCHIBALD SILVERMAN, owner of the Strand, Providence, sails today on the *Santa Rosa* for a South American cruise.

•

TULLIO CARMINATI has returned here after completing a picture for Paramount on the Coast.

•

NADINE THOMAS, head usher at the Tivoli in San Francisco, has resigned to marry RICHARD STEVENS, manager of the house.

•

ESSIE BREGSTEIN, former secretary to HARRY G. KOSCH, attorney, has become affiliated with the Miles Executive Agency.

•

EARL WINGART, JOHN ANDERSON, CROSBY GAIGE and JESSE LASKY, JR., lunched at the Waldorf-Astoria yesterday.

•

GERARD HIRSCH, M-G-M salesman in New Orleans, is visiting here.

•

M. A. GOWTHORPE of Paramount returned to New York from Miami yesterday.

•

ARTHUR KELLY, United Artists foreign head, doubled as Santa Claus yesterday. He distributed gifts to every member of the company's foreign department.

•

NATHAN SALMON, Santa Fe, N. M., exhibitor, is at the Mayo Clinic for treatment.

•

BERNIE HYNES, manager of the Denver in Denver, is the father of an eight-pound son, born to MRS. HYNES at St. Lukes Hospital.

•

LAURENCE OLIVIER flew back to the Coast yesterday after a brief visit here.

•

TYREE DILLARD, M-G-M attorney, left yesterday for Greensboro, N. C., to spend the holiday with relatives.

•

CHARLES KESSNICK, head of the Metro office in Atlanta, is recovering from lacerations received when he tripped and fell.

'Four Wives' Goes Into Strand Today

"Four Wives" opens today at the Strand with Abe Lyman's band on the stage. The third week of "Elizabeth and Essex" with Al Donohue's band on the stage drew an estimated $26,000 there.

At the Music Hall, "Balalaika" with a stage show drew an estimated $84,000 and is held over. "Everything Happens at Night," with a stage show at the Roxy, drew an estimated $131,000 and is also held. The third week of "Destry Rides Again" grossed an estimated $17,000 at the Rivoli. "The Light That Failed" will go into the Rivoli tomorrow.

Patterson's Vote Saved Odlum Plan

A tie four-to-four vote by RKO directors at the board meeting on Dec. 12 on the proposed agreement offered by Atlas Corp. to issue 500,000 shares of RKO stock required the deciding vote of Chairman Richard C. Patterson in its favor, it was disclosed when minutes of the meeting were filed yesterday in the U. S. District Court.

According to the minutes, N. Peter Rathvon, Raymond Bill, Thomas P. Durell and Frederick L. Ehrman voted in favor of the agreement after Floyd P. Odlum, head of Atlas, proposed it to the board. James G. Harbord, John E. Parsons, W. G. Van Schmus and L. P. Yandell opposed it.

George J. Schaefer, Ned E. Depinet and L. Lawrence Green abstained from casting a vote, although they were present at the meeting.

William L. Donovan, attorney for the Irving Trust Co., trustee of RKO, was granted an ad interim allowance of $50,000 yesterday by Federal Judge Bondy. The Irving Trust Co. at the same time was granted $32,500, and Price, Waterhouse & Co., $4,800. Donovan, who asked for $75,000, has already received $310,000, and the Irving Trust $192,500 for services from July 1, 1934.

Four claims against RKO, totaling $917,717, will be reduced under stipulation to $103,726, according to an application filed yesterday by the Irving Trust, returnable on Dec. 22.

Labor Board Ruling Affects N.Y. Circuits

(*Continued from page* 1)

agers and assistants should be classified in one group, and ushers, doormen, cashiers and matrons in another group.

Elections will be held within 20 days, at which time employees in each classification will vote whether they wish to have the T.M.A.T. represent them, or name another union, or prefer to have no collective bargaining agency.

The case originally involved 12 houses, but one, the Howard, was sold during the course of the hearings. Irving Renner and Louis Nelson control four corporations which own four of the houses, while the remaining seven are owned in conjunction with the Interboro Circuit.

T.M.A.T. called a strike at Endicott houses on Aug. 18, and the strike is still continuing, although there is no picketing.

The board pointed out that the circuit was managed and operated as a unit and it should be so treated for bargaining purposes.

Coast Flashes

HOLLYWOOD, Dec. 21.—Mr. and Mrs. Leon Schlesinger will take the Super Chief to New York Tuesday, carrying a special print of the first "Kanyon Kiddies" cartoon to show the Warner home office.

Word was received here of the death in London of Roy Simmons, 52, for many years in charge of publicity for 20th Century-Fox in London.

Newsreel Parade

Graf Spee *in Motevideo, burial of its battle victims, and the arrival in New York of the crew of the scuttled German liner,* Columbus, *are shown in latest newsreel issues. Reels and their contents follow:*

MOVIETONE NEWS, No. 30—*Graf Spee* and crew in Montevideo. Survivors of *Columbus* in New York. Embassy children extend Christmas greetings. Roxy girls in Christmas show. Diving. Boxing matches.

NEWS OF THE DAY, No. 228—*Graf Spee* and crew in South America. *Columbus* crew arrives. Beaux Arts ball. Children of envoys recite Christmas greetings. Mountain climbing in Alps. Golden Glove bouts.

PARAMOUNT NEWS, No. 33—Canadian troops leave for Europe. Envoys' children in holiday greeting chorus. *Graf Spee* in Montevideo. Survivors of *Columbus* at Ellis Island. German ship chased into Florida harbor.

RKO PATHE NEWS, No. 45—Sweden prepares for war. New navy bomber. Premiere of "Hunchback of Notre Dame." Nazi freighter in Florida port. *Columbus* crew arrives in New York. Miami vacation ballyhoo starts. Olympic divers in California.

UNIVERSAL NEWSREEL, No. 834—*Graf Spee* and crew in Montevideo. Canadian troops sail to war. Nazi ship chased into port. Army maneuvers in Texas. New bomber tested. Diving show. Children of foreign diplomats broadcast Christmas greetings.

Four Newsreels Get Clips on Spee

The first newsreel footage on the *Graf Spee* incident at Montevideo was delivered to four newsreels yesterday and rushed out in the form of supplements to the regular midweek issues of the reels which had been released earlier.

Spee material was received by Paramount, Universal, Movietonews and News of the Day. Releases were held to less than 200 feet inasmuch as no pictures had been made of the *Spee's* encounter with three British cruisers off Uruguay, the material obtained being limited to shots made after the German pocket battleship found refuge in Montevideo harbor. This included shots of the battered armor of the vessel, removal of the wounded to hospitals, burial of the dead and shots of Captain Hans Langsdorff and members of the battleship crew.

Additional material covering the destruction of the ship is expected by the reels from Montevideo this weekend and may be delivered to theatres any time from Sunday to Tuesday.

Monogram to Shoot 6 Films in January

HOLLYWOOD, Dec. 21.—Monogram plans six features for January production, as result of conferences at the studio between W. Ray Johnston, president, and Scott R. Dunlap, vice-president in charge of production. Johnston plans to leave for New York shortly, returning here in January.

Films planned for January are "Rip Van Winkle" in color; "Son of the Navy," a Marcia Mae Jones-Jackie Moran production; a Tex Ritter musical Western, Jack Randall Western and a "Renfrew of the Royal Mounted."

Hays Board Hears Foreign Managers

Foreign managers of major companies were called in to the quarterly meeting of the M.P.P.D.A. board of directors yesterday for a discussion of the new monetary regulations and import restrictions in international markets since the outbreak of the war.

The situation was discussed at length by the board following receipt of reports from the foreign department heads. The board meeting was adjourned thereafter to Jan. 3.

Attending the meeting were Will H. Hays, Frederick L. Herron, Maurice Silverstone, W. C. Michel, Nicholas M. Schenck, George J. Schaefer, Nate J. Blumberg, Jack Cohn, Joseph Hazen and Barney Balaban.

Those called in on the foreign market discussion were Arthur Loew, David Bernstein, Phil Reisman, J. A. McConville, Walter J. Hutchinson, Arthur Kelly, Karl McDonald, John W. Hicks and Joseph H. Seidelman.

Hollywood to Have A Quiet Christmas

HOLLYWOOD, Dec. 21.—Hollywood is prepared to spend a comparatively quiet Christmas holiday.

Studios for the most part will be closed Saturday and totally on Monday. Parties are scheduled in many homes, but lavish expenditures are out. Many will go to Arrowhead Springs and Palm Springs for the holiday.

The biggest collective Christmas gift in Hollywood's history was the payment of approximately $300,000 in retroactive salary increases to labor union members by the producers.

London More Lax on Sunday Shows

LONDON, Dec. 21.—The British Government Home Office today issued instructions liberalizing the Sunday opening regulations. At the request of the military authorities, any area's local council may apply to the Home Office directly for Sunday opening permission.

Unveil Murals Today

Sir Cedric Hardwicke will unveil the new Rialto murals designed by Nat Karson today at the theatre.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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650 at Dinner Fete Brandt, Vet Exhibitor

(Continued from page 1)

Louella Parsons, Hearst columnist.

David Weinstock was general chairman of the affair. M. C. Weisman served as treasurer, while William Brandt, brother of Harry, was in charge of the entertainment. Howard Deitz was chairman of the publicity committee.

Speakers were those on the dais. All praised Brandt's record and character. He was presented with a platinum watch whose numerals were in diamonds. Among those present were:

E. W. Aaron, Mr. and Mrs. Melvin A. Albert, Bernard Barr and guest, Mr. and Mrs. John Benas, V. D. Bell, E. H. Bell, J. A. Benjamin,, David Berk, Harry Bernstein, J. Bezachler, L. Blumenthal and guest, J. Bowen, Laurence Bolognino, Al Bondy, Mrs. Harry Brandt, Mrs. Gusti Brandt, Louis Brandt, Mr. and Mrs. Wm. Brandt, Miss Francis Bregman and guest, Mr. and Mrs. Wm. B. Brenner, James J. Brennan, Maurice Brown, Mr. and Mrs. Emanuel Burnstein, Mr. and Mrs. H. Buxbaum, Mr. and Mrs. C. L. Casanave, Mr. and Mrs. Jules W. Catsiff, N. J. Cohn.

Mr. and Mrs. Max Cohen, Thomas J. Connors, L. W. Conrow, Mr. and Mrs. Alan Carelli, C. F. Deesen, Mr. and Mrs. Geo. F. Dembow, Mrs. Ned Depinet, Oscar A. Doob, Mr. and Mrs. Herbert Ebenstein, Mr. and Mrs. Herman Eisenstadt, Norman Elson, Mr. and Mrs. L. Elson, Al Erickson, G. S. Eyssel, Jay Emanuel, S. H. Fabian, Joseph Felder, L. H. Francis, William Frankel, Jack Gelber, Wm. Girden, Mr. and Mrs. Herman Glucksman, Mrs. Harry L. Gold, H. Goldraben, Mr. and Mrs. Charles Goldreyer, Walter E. Green, Arthur Greenblatt.

Monroe Greenthal, Mrs. and Mrs. Toby Gruen, Mr. and Mrs. Adolph Haas, Eleanor Hand, Jack P. Harris, I. Helfont, I. Herk, Mr. and Mrs. F. Hohmeister, Joe Hornstein, Joe Ingber, Rulie Jackter, Vincent Jacobi, Bernard Josephson, Mrs. Gilbert Josephson, Maurice Kann, Mr. and Mrs. Miles Katzenstein, Malcolm Kingsberg, E. Kirsten, Benjamin Knoble, Mr. and Mrs. Stanley Kolbert, M. E. Kornbluth, Mr. and Mrs. Harry Kostner, Julius Krumgold, Lewis Krouse, M. S. Kusell, A. Lacks, Thomas W. Lamb, Stanley W. Lawton, Joe Lee, Mr. and Mrs. Bernard Levy.

Jules Levy, Mr. Herman Lorber, Jack Lyons, Mr. Mitchell May, Jr. and guests, Mr. and Mrs. Joe Malcolm, Seymour Manheimer, John Marino, Mr. and Mrs. Ira Meinhardt, Mr. and Mrs. Jack Mills, A. Minsky, Mr. and Mrs. John Manheimer, Mr. and Mrs. Charles Moses, Chas. Moskowitz, Harry Moskowitz, Mr. and Mrs. David Nemerov, Mr. and Mrs. V. J. Nolan, Chas. L. O'Reilly, E. K. O'Shea, Mr. and Mrs. H. Ostreicher, Arthur Palterson, I. Perse and guests, Eugene Picker, Joe Plunkett, Mrs. Chas. Poletti, H. Postman, J. Price, Ralph Poucher, Frank Powderly, Elmer F. Quinn, Mr. and Mrs. Hyman Rachmil, A. J. Rademacher, Henry Randell, Mr. and Mrs. Arthur M. Rapf, Mr. and Mrs. Henry Reiner, Mr. and Mrs. Phil Reisman, Mr. and Mrs. Ray Rhonheimer, Samuel Rhonheimer, Samuel Rinzler, Mr. H. M. Richey, Mr. and Mrs. Herman Robbins, Myron Robinson, Budd Rogers, Marvin Rosen, Miss Laura Rosenblatt, Mr. and Mrs. Max Rudnick, Frank Russek, Mr. and Mrs. I. H. Russek.

Mr. and Mrs. Julius Sanders, Mr. and Mrs. Moe Sanders, Nat Sanders, E. M. Saunders, Mr. Bert Sanford, Jr., M. E. Sattler, Mr. and Mrs. Arthur Silverstone, Emanuel Silverstone, Frank Satenstein, Mr. and Mrs. Louis Satenstein, Mr. and Mrs. Sidney Satenstein, Grover Schaefer, Mrs. G. J. Schaefer, Nikol Schatenstein, Marvin H Schenck, H. J. Schnittger, S. R. Schussell, Mr. and Mrs. Adolph Schwartz, Mr. and Mrs. George Schwartz, Mr. and Mrs. Edw. Seider, Mr. and Mrs. Jos. M. Seider, Mr. and Mrs. I. Seider, Sam Shain, Mr. and Mrs. Bernard Sholtz, Mr. Lee Shubert, Mr. and Mrs. John Slattery, Mr. and Mrs. A. W. Smith, Jr., H. B. Snook, J. Sokoloff, Lee Spivak, Mr. and Mrs. Murray C. Spett, Mr. and Mrs. Herman Starr, Jack Starr Mr. and Mrs. Samuel Strauberg, Mr. and Mrs. Leon Strauss, Mr. and Mrs. Chas. Stern, Mr. and Mrs. Al Suchman, Mr. and Mrs. William Sussman.

Mr. and Mrs. Harry H. Thomas, Dr. and Mrs. R. M. Toll, Lionel Toll, Sol Trauner, I. J. Unger, J. R. Vogel, Nat Wachsberger, Mr. and Mrs. Louis M. Weber, Mr. and Mrs. Jos. Weinstock, Mr. and Mrs. Louis Weinstock, Mrs. David Weinstock, Mrs. Milton C. Weisman, M. Weisfeldt, Mr. and Mrs. William A. White, Mr. and Mrs. J. W. White, Mr. and Mrs. E. A. Williford, L. Yaeger, Bernard Zimetbaum.

Critics' Quotes . . .

"BALALAIKA"

Musical romance is the word for it . . . Ilona Massey's debut is as crackling as dry snow underfoot (*New York Times*). Ilona Massey is beautiful, alluring and charmingly aloof . . . The production is elaborate (*N. Y. Daily News*). A unique musical comedy canvas of old Russia (*N. Y. Daily Mirror*). Screen operetta has rarely seemed more synthetic (*N. Y. Herald Tribune*).

Eddy and tuneful music should make "Balalaika" an entertainment success (*Los Angeles Examiner*). Is different enough to entice audiences (*L. A. Times*). Rises above what might have been a box-office tragedy through the sheer beauty of the musical numbers (*L. A. Herald-Express*).

"HUNCHBACK OF NOTRE DAME"

Definitely of the super-horror type (*L. A. Herald-Express*). Has a kind of horrible fascination. Laughton's performance gives the film its quality of incredible excitement (*L. A. Daily News*). As a vehicle for Charles Laughton the picture and the role should raise his star rating even higher (*L. A. Examiner*). The production appeared to hold an absorbing interest . . . remarkable melodramatic strength (*L. A. Times*).

"DESTRY RIDES AGAIN"

Excellent entertainment for every member of the family (*Boston Globe*). Rip-snorting melodrama . . . grand entertainment (*Boston Traveler*). Should provide you with enough excitement and laughter to last for months (*Boston Herald*). A delightfully lusty and rowdy piece of entertainment (*Boston Post*). Pretty steadily amusing and sometimes exciting (*Boston Evening Transcript*). Performances give it Grade-A quality (*Boston Evening American*).

"NICK CARTER, MASTER DETECTIVE"

The picture is a lively one (*N. Y. Daily Mirror*). The film should prove satisfactorily exciting (*N. Y. Herald Tribune*). An exciting film . . . moves swiftly (*N. Y. Daily News*). It's an amusing fiction with enough action (*N. Y. Times*).

Detroit Grosses In Holiday Slump

DETROIT, Dec. 21.—The usual lull before the holidays continued to affect the box offices of all downtown theatres.

Estimated takings for the week ending Dec. 14:

"First Love" (Univ.)
"Day-Time Wife" (20th-Fox)
ADAMS—(1,700) (15c-40c) 7 days. Gross: $4,900. (Average, $5,000)
"In Name Only" (RKO)
"Jamaica Inn" (Para.)
FISHER—(2,700) (15c-55c) 7 days. Gross: $4,800). (Average, $5,000)
"Barricade" (20th-Fox)
"Blondie Brings Up Baby" (Col.)
FOX — (5,000) (20c55c) 7 days. Gross: $11,000. (Average, $12,000)
"The Real Glory" (U. A.)
"Night of Nights" (Para.)
MICHIGAN — (4,000) (15c-65c) 7 days. Gross: $10,000. (Average, $10,000)
"We Are Not Alone" (W. B.)
"Mutiny in the Big House" (Mono.)
PALMS—(3,000) (15c-50c) 7 days. Gross: $4,900. (Average, $5,000)
"Ninotchka" (M-G-M)
UNITED ARTISTS—(2,000) (15c-55c) 7 days. Gross: $10,000. (Average, $10,000)

FCC Fixes Hearing on FM Broadcasts

WASHINGTON, Dec. 21. — With a number of requests filed for authority to begin regular broadcast service on frequencies above 25,000 kilocycles, the Federal Communications Commission today called a hearing for Feb. 28 at which time the possibilities of frequency modulation will be considered. Pending a final decision, the commission announced it would grant applications for research and experiment.

'Eternally' Draws $9,500 in Buffalo

BUFFALO, Dec. 21.—Christmas charity shows held down grosses here, with "Eternally Yours" and "The Secret of Dr. Kildare" taking $9,500 at the Great Lakes.

Estimated takings for the week ending Dec. 16:

"Ninotchka" (M-G-M)
BUFFALO—(3,000) (30c-35c-55c) 7 days. Gross: $12,900. (Average, $12,000)
"Eternally Yours" (U. A.)
"The Secret of Dr. Kildare" (M-G-M)
GREAT LAKES—(3,000) (30c-50c) 7 days. Gross: $9,500. (Average, $7,500)
"Barricade" (20th-Fox)
"No Place To Go" (W. B.)
HIPPODROME—(2,500) (25c-35c) 7 days. Gross: $5,600. (Average, $6,800)
"On Your Toes" (W. B.)
"Main Street Lawyer" (Rep.)
TWENTIETH CENTURY—(3,500) (25c-35c). Gross: $6,800. (Average, $6,800)
"The Mikado" (Univ.)
"One Hour To Live" (Univ.)
LAFAYETTE—(3,300) (25c-35c) 7 days. Gross: $4,700. (Average, $6,300)

'Cat' Draws $4,500 In Oklahoma City

OKLAHOMA CITY, Dec. 21.—"The Cat and the Canary" led with $4,500 at the Midwest.

Estimated takings for the week ending Dec. 14:

"The Private Lives of Elizabeth and Essex" (W. B.)
CRITERION — (1,500) (25c-35c-40c) 7 days. Gross: $4,900. (Average, $4,500)
"20,000 Men a Year" (20th-Fox)
"The Honeymoon's Over" (20th-Fox)
LIBERTY—(1,200) (15c-20c-25c) 7 days. Gross: $3,000. (Average, $2,400)
"The Cat and the Canary" (Para.)
MIDWEST—(1,500) (25c-35c-40c) 7 days. Gross: $4,500. (Average, $4,000)
"Day-Time Wife" (20th-Fox)
PLAZA—(750) (25c-35c-40c) 7 days. Gross: $1,200. (Average, $1,100)
"The Real Glory" (U. A.) 2nd week
STATE—(1,100) (20c-25c-40c) 7 days, 2nd week. Gross: $1,800. (Average, $3,000)
"Another Thin Man" (M-G-M) 2nd week
TOWER—(1,000) (25c-35c-40c) 7 days, 2nd week. Gross: $2,800. (Average, $1,750)

'Ninotchka' Is Minneapolis' Best, $9,500

MINNEAPOLIS, Dec. 21. — The holidays were no help to grosses in the Twin Cities. Brightest spot in Minneapolis was "Ninotchka" at the State with $9,500.

In St. Paul "The Under-Pup" took $2,200 at the Riviera.

Estimated grosses for the week ending December, Dec. 14:

Minneapolis:

"Too Busy to Work" (20th-Fox)
"Television Spy" (Para.)
ASTER—(900) (15c-25c) 7 days. Gross: $2,300. (Average, $1,500)
"Barricade" (20th-Fox)
CENTURY — (1,600) (25c-40c) 7 days. Gross: $2,300. (Average, $4,000)
"Nurse Edith Cavell" (RKO)
ESQUIRE—(290) (25c-40c) 7 days, 2nd run. Gross: $800. (Average, $700)
"20,000 Men a Year" (20th-Fox)
GOPHER—(990) (25c) 7 days. Gross: $3,000. (Average, $2,500)
"The Girl from Rio" (Rep.)
MINNESOTA—(4,300) (20c-40c) 7 days, Wally Vernon stage show. Gross: $4,500. (Average, $6,000)
"That's Right, You're Wrong" (RKO)
ORPHEUM — (2,900) (25c-40c) 7 days. Gross: $6,500. (Average, $4,400)
"Ninotchka" (M-G-M)
STATE—(2,300) (25c-40c) 7 days. Gross: $9,500. (Average, $4,000)
"First Love" (Univ.)
WORLD—(400) (25c-40c) 7 days, 4th week. Gross: $1,500. (Average, $1,600)

St. Paul:

"Jamaica Inn" (Para.)
ORPHEUM — (2,000) (25c-40c) 7 days. Gross: $3,200. (Average, $3,200)
"Ninotchka" (M-G-M)
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $4,200. (Average, $4,400)
"The Under-Pup" (Univ.)
RIVIERA—(1,000) (25c) 7 days. Gross: $2,200. (Average, $1,800)
"On Your Toes" (W. B.)
"Tropic Fury" (Univ.)
TOWER—(1,000) (25c) 7 days dual bill. Gross: $2,000. (Average, $1,600)
"First Love" (Univ.)
WORLD—(400) (25c-40c) 7 days, 3rd week. Gross: $900. (Average, $700)

'Thin Man' Leading Philadelphia Film

PHILADELPHIA, Dec. 21.—The last days of Christmas shopping cut into receipts. Leading the parade was "Another Thin Man" with $17,200 at the Stanley.

Estimated grosses for the week ending Dec. 15:

"We Are Not Alone" (W. B.)
ALDINE—(1,700) (32c-42c-57c-68c) 6 days, 2nd week. Gross: $8,900. (Average, $8,000)
"Disputed Passage" (Para.)
ARCADIA—(600) (32c-42c-57c) 2nd run. Gross: $2,800. (Average, $2,600)
"Ninotchka" (M-G-M) 3rd week, 5 days.
"Remember" (M-G-M) 2 days
BOYD—(2,400) (32c-42c-57c-68c). Gross: 7 days, $13,200. (Average, $13,200)
"That's Right, You're Wrong" (RKO)
FOX—(3,000) (32c-42c-57c-68c). Gross: 7 days, $14,100. (Average, $13,000)
"Housekeeper's Daughter" (U. A.)
KARLTON—(1,000) (32c-42c-57c-68c) 7 days. Gross: $4,100. (Average, $3,000)
"Secret of Dr. Kildare" (M-G-M)
KEITHS—(2,200) (32c-42c-57c-68c) 2nd run. Gross: 7 days, $3,600. (Average, $3,500)
"Mr. Smith Goes to Washington" (Col.)
STANTON—(1,700) (32c-42c-57c) 2nd run. Gross: 7 days, $6,200. (Average, $4,500)
"Another Thin Man" (M-G-M)
STANLEY — (3,700) (32c-42c-57c-68c). Gross: 7 days, $17,200. (Average, $14,000)

Title Yiddish Film

"Overture to Glory" has been selected as the final title of Elite Productions' Yiddish musical starring Moishe Oysher. Picture is scheduled for release on Broadway late next week.

Rooney Best Draw of Year At Box-Office

(Continued from page 1)

drew the greatest number of patrons to your theatre from Sept. 1, 1938, to Sept. 1, 1939, without regard to age of picture, net profit, length of run, nature of competition or other conditions (weather, etc.) during exhibition."

Gene Autry took the lead among the top 10 western stars, in the combined vote of circuits and independents, with 603 per cent. Following him, in order of ranking were: Bill Boyd, 511; Roy Rogers, 333; George O'Brien, 332; Charles Starrett, 197; Three Mesquiteers, 196; Tex Ritter, 111; Buck Jones, 99; John Wayne, 61; Bob Baker, 55.

Tracy this year rose from fifth position in the 10 best listing to third this year. Since the poll started in 1932, Gable has never been out of the top 10 group. He has rated in that time four seconds, one third, one fourth, one seventh and one eighth.

Circuit operators and independents voted separately, from which were compiled the combined final listing.

Both circuit and independent voting resulted in the first, second and third spots for Rooney, Power and Tracy, respectively.

Beyond the first three positions, the independent exhibitors voted as follows: Shirley Temple, fourth; Clark Gable, fifth; Alice Faye, sixth; Bette Davis, seventh; Errol Flynn, eighth; Sonja Henie, ninth; Jane Withers, tenth.

The circuit operators rated those beyond the first three positions as follows: Clark Gable, fourth; Bette Davis, fifth; Shirley Temple, sixth; Errol Flynn, seventh; Alice Faye, eighth; James Cagney and Bing Crosby, tied for ninth; Sonja Henie, tenth.

It is interesting to note that Miss Davis, a dramatic actress, scored highest among actresses, and that the final listing shows almost no attention paid to the so-called "glamor" type of player.

F. & M. Libel Suit Accuses Pickets

ST. LOUIS, Dec. 21.—The Fanchon & Marco Service Corp., operators of a string of theatres here, late yesterday filed a libel suit for $200,000 against eight officers and 44 members of the Motion Picture Operators Union No. 143, alleging damage to its business through false statements contained in handbills distributed by pickets. Union pickets have been stationed at the theatres since September 30.

Free Lunch Plan Of Ampa Next Week

Following a meeting of the Ampa board of directors yesterday, it was announced that next week's open meeting will feature "Free Lunch for All Paid-Up Ampa Members."

Anyone presenting a membership card for the current year at the door next Thursday, will be given a ticket entitling them to free luncheon.

U. S. Theatres Anticipate Gain in Holiday Business

(Continued from page 1)

"The Hunchback of Notre Dame," plus a stage show, will be featured.

Neither the Astor nor the Capitol where "Gone With the Wind" is current will be able to add extra shows because of the length of the film. The Rivoli, with "The Light That Failed," may remain open all night if patronage warrants. The Rivoli will feature organ playing at midnight and the audience will join in the singing.

The Strand, with "Four Wives" on the screen, and Abe Lyman's band on the stage, has not yet set its New Year's Eve policy. The Globe, which will have "Big Guy," will follow the Rivoli policy of remaining open as long as there is sufficient business.

In states where the sale of liquor is banned or where night club operation is prohibited on Sunday, theatres are expected to benefit. Toronto will be forced to start its New Year's Eve late shows after midnight because of the Lord's Day Act.

Theatres in key cities have the following plans for the holidays:

Report Good Xmas Season in Chicago

CHICAGO, Dec. 21.—New films will open in the Loop over the three-day Christmas holiday to attract extra trade. Special emphasis will be placed on children's entertainment. Business houses report this as the best Christmas season since 1929. Night clubs have heavy reservations.

Ushering in this city's festivities, more than 200 theatres in this area this morning had special shows for charity.

See Big New Year's Eve for Pittsburgh

PITTSBURGH, Dec. 21.—Theatres in this area anticipate overflow New Year's Eve business because night clubs will be closed due to the state law banning the sale of liquor between midnight Sunday and 7 A.M. Monday.

Special New Year's Eve shows are scheduled at almost all theatres here, with a number booking stage units to augment film bills. Most houses will increase prices in anticipation of a heavy attendance. Warner circuit will play New Year's Day bills on New Year's Eve, with holiday prices prevailing. Harris Amusement Co. is also planning New Year's Eve shows.

Many Holiday Features For Interstate Circuit

DALLAS, Dec. 21.—Christmas and New Year's exploitation of the Interstate circuit, operating nearly 150 theatres in Texas, includes many features.

Mary Martin, a native Texan, will make one-day personal appearances in conjunction with "The Great Victor Herbert" in San Antonio Dec. 23, Fort Worth Dec. 24 and Dallas Dec. 26. With her will be Ray Sonatra, NBC conductor.

Billy Halop, Bobby Jordan and Jackie Searle, on a Coast-to-Coast trip, will play one day each at El Paso and Albuquerque. Dave Apollon will open a tour of the circuit at the Dallas Majestic Dec. 30.

Gift shows will be held Christmas Eve in several cities and the usual midnight shows and watch parties New Year's Eve. "Gulliver's Travels" will open at the Majestic, San Antonio on Dec. 23 and the Houston Majestic tomorrow.

Interstate is selling Christmas gift books at $1 and $2.50, with coupons good for admissions.

Cincinnati Expects Strong Business

CINCINNATI, Dec. 21.—Theatres here look for better than average New Year's Eve business because it is Sunday and many persons will be spending bonus money, in addition to an expected absorption of business from night spots which will be unable to dispense liquor.

The RKO Shubert on Dec. 29 will resume stage shows and on New Year's Eve will have two reserved seat performances at $1.25 top. The RKO Capitol, where "Gone With the Wind" will be playing, will have a special show at 8 P.M., with reserved seats at $1.10 and $1.50. The RKO Albee and Palace will advance their scale from 35 and 42 cents to 42 cents and 60 cents after 6 P.M.

Other circuit houses, as well as most independents, will play midnight shows, mostly at regular admissions.

Buffalo New Year's Prices 50 Cents to $1.10

BUFFALO, Dec. 21.—Prices for New Year's Eve shows at downtown houses here will range from 50 cents to $1.10, with seats reserved in all instances. Nearly all houses have been sold out far ahead. Neighborhood theatres also will have special midnight shows with 25-cent prices prevailing.

Exhibitors here welcome the Sunday night New Year's Eve, pointing out that the double holiday will increase business. New Year's Eve shows will also prevail on the holiday.

Shea's Buffalo will have "Balalaika" with Red Skelton and a band on the stage. The Century, opposition first run, will have the Dead End Kids on the stage. Both will have a $1.10 top.

Blue Laws Delay Toronto Eve Showings

TORONTO, Dec. 21.—The holiday show situation here has been complicated by an official warning to theatres and newspapers that performances at 12.01 A.M. Monday cannot be advertised as Sunday midnight shows because of the law against Sabbath performances in Ontario.

The warning has been given by the Lord's Day Alliance, which is zealously supporting the century-old Lord's Day Act.

As a result, theatres will not be able to open their doors until after Sunday midnight which means that the highlight of New Year's Eve will be missed.

Des Moines Plans Special Midnight Shows

DES MOINES, Dec. 21.—Most exhibitors here plan nothing out of the ordinary for Christmas Eve, as they do not believe the double holiday can overcome the traditional slim attendance that night. Practically all theatres in this territory are, however, planning special New Year's Eve midnight shows.

The Casino Theatre, owned by A. Frankle, will have a stage show beginning Dec. 23 and ending New Year's Day.

Numerous theatres in the state are putting on free children's matinees this week, with suitable favors. Some are in cooperation with the Chambers of Commerce.

New Haven Theatres Plan No Price Boost

NEW HAVEN, Dec. 21.—Of the 47 Warner theatres in the New Haven area, between 30 and 35 are reported planning New Year's Eve midnight shows at no advance in top price. Midnight shows will also be held at all Loew-Poli houses in the territory, as well as at the Paramount here and the Allyn, Hartford.

Big Changes In Copyright Law Agreed

(Continued from page 1)

which copyright protection is automatic. It requires no registration or filing of two copies of a work, as has been the case.

The new provisions extend the life of a copyright from the present 28-year period to one including the lifetime of the author and for 50 years after his death.

'Bicyling' Violations Lead Copyright Cases

"Bicycling" and other types of copyright violations were found to have increased approximately 12 per cent during 1939, according to the annual report of the Copyright Protection Bureau, submitted to the M.P.P.D.A. yesterday by Jack H. Levin, director of the bureau.

Violations were found in 28.08 per cent of the places investigated this year, as compared with 16.75 per cent of the theatres investigated during 1938, the report shows.

"Bicycling" was the most frequent violation encountered during 1939, outnumbering the "holdover" type of violation more than two to one. This continues the trend of the past two years during which the unauthorized holdover of pictures has been on the decline. Prior to the 1936-'37 season, "bicycling" was the most popular form of violation.

During the past year the bureau put into operation a new department for the investigation of duped, bootlegged, lost and stolen prints. The initial investigations covered laboratories where the duping was done, legitimate laboratories where prints had been smuggled out by employes and distributors handling prints from such outlaw sources.

Many Issues Before Actors Equity Today

Actors Equity will hold its quarterly meeting at the Hotel Astor this afternoon with an unusually large number of issues facing the membership.

Paul Dullzell, executive secretary, will read his report covering the new ticket code, reorganization of the Associated Actors and Artistes of America, raising of minimums, television wage scales, repayment of loans by American Federation of Radio Artists and the organization drive of American Guild of Variety Artists.

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First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 122 NEW YORK, U. S. A., TUESDAY, DECEMBER 26, 1939 TEN CENTS

RKO Offers Its New Stock To Creditors

Company Moves Nearer To Financial Stability

The 500,000 shares of new RKO common stock, to be underwritten by Atlas Corp., were formally offered to unsecured creditors of the company on Friday.

The offering fulfilled another requirement of the Atlas proposal to underwrite the $1,500,000 of new RKO common to provide working capital for the reorganized company, an earlier requisite having been met when Federal Judge Bondy approved the underwriting terms last Thursday.

Atlas had reserved the right to withdraw its offer if it had not been approved by Judge Bondy by Dec. 23, or if RKO had not offered the stock to creditors by Dec. 31.

The subscription warrants for the new common distributed to the unsecured creditors and to Rockefeller Center offer the stock at $3 per share. The subscription right must be exercised on or before Jan. 8.

RKO must give notice to Atlas within two days after that date of the amount of new stock which remains unsubscribed for, and Atlas then has six days in which to pick up the remaining shares at $2.75 per share.

The only remaining condition under which Atlas now can withdraw its underwriting offer is that pertaining to the granting by the U. S. Supreme Court of writs of certiorari to either of two creditor applicants who have requested the high court to review the order confirming the RKO reorganization plan. If the writs are

(*Continued on page 2*)

FCC Hearing Jan. 15 On Television Rules

WASHINGTON, Dec. 25.—The Federal Communications Commission will hold a hearing Jan. 15 on rules for television operation recommended by its television committee last month, which the Commission proposes to adopt with minor amendments.

In its report, the Committee recommended regulations requiring applicants for television stations to show that they have a program of research and experimentation and is financially able to carry such a program forward, and outlined rules under which such stations should operate.

U.S. Subsidy to Aid Theatre, Build Jobs Is Sought by Equity

A campaign to obtain Federal subsidy for the theatre and to develop methods of relieving unemployment among actors is being sought by Actors Equity membership.

At a quarterly meeting Friday, members urged the Equity council to consider, in conjunction with other branches of the Associated Actors and Artistes of America, such a campaign.

Members at the same meeting went on record as favoring an increase of minimum wages from $40 to $50 weekly. However, the motion is an advisory one, indicating the members' sentiment to the Council which must act.

The meeting heard an address by Kenneth Thompson, executive secretary of Screen Actors Guild, in which he stated that the S.A.G. had voted to approve the "one big union" plan for the 4-A provided that "it served to benefit all actors in all branches of the entertainment world."

Paul Dullzell, Equity executive secretary, in his quarterly report, pointed out that the question of the organization of the television field depended on the reorganization of the 4-A.

He emphasized the fact that Equity still claimed jurisdiction over the field and would look to the 4-A for help in organizing television, but said that Equity welcomed the cooperation of other branches for general information and discussion of wage standards.

Hays and Quigley On CBS Broadcast

In a nationwide hookup of Columbia Broadcasting System, Will H. Hays and Martin Quigley will appear in a program entitled "1939 in Motion Pictures," on Thursday, Dec. 28, at 7:15 P. M.

Mr. Hays, as the industry's spokesman, will comment on developments of the year which are of especial interest to the general public. Mr. Quigley will open the program with a discussion of *Motion Picture Herald's* survey which has named the screen personalities who are included in the list of the 10 biggest money-making stars of 1939.

Roosevelt Charters Globe Productions

SACRAMENTO, Cal., Dec. 25.—James Roosevelt, who resigned recently as vice-president of Samuel Goldwyn, Inc., with two other men has filed articles of incorporation for Globe Productions, Inc.

The corporation was organized, according to the application, to "own, lease or otherwise acquire theatres and broadcasting stations," and to "manufacture, buy and hire all kinds of still and motion pictures." The papers indicated the company was authorized to issue two classes of shares of stock with an aggregate par value of $1,000,000.

Other incorporators beside Roose-

(*Continued on page 6*)

Louella Parsons Unmasks 'Mystery' of Her Column

By SHERWIN A. KANE

Louella Parsons and Her Hollywood Stars of 1940, a new vaudeville act current at Loew's State, gets as big a hand from the paying customers as do such more experienced five-a-dayers which precede it on the bill as Bob Hall and Galitier's Steeplechase, the last named being a pony, dog and monkey act.

Before Louella's act comes on, the audience is treated to a 150-foot celluloid prologue, picturing a selection of Hollywood's "great" bidding fond farewells to Louella, as news spreads through the colony that she is about to depart on her personal appearance tour.

To the accompaniment of "Good luck, and thank you, Louella, for the nice things you said about me in your column," come Deanna Durbin, Errol Flynn, Sonja Henie, Fred Astaire, Mickey Rooney and others.

Then comes Louella—to the vaudeville stage.

The scene is Louella's office. The Stars of 1940 in the persons of Arlene Whelan, Susan Hayward, Jane Wyman, Joy Hodges, June Preisser and Ronald Reagan are announced and admitted.

Next, the glamorous mystery of getting out Louella's column is bared.

In working uniform of silver fox, Louella sits at her desk while an assistant combs through a bale of con-

(*Continued on page 2*)

Federal Cash For New York Films Urged

RFC Loan, Use of Astoria Studio Proposed

Financial aid from the Federal government has been suggested to Mayor LaGuardia as a method of helping him to realize his ambition to have motion picture production in New York, it was authoritatively learned over the week-end.

This suggestion came from trade leaders and certain New York banking interests. They urged the Mayor to solicit financial support from the Reconstruction Finance Corp.

Favor Astoria Studios

It was furthermore disclosed that LaGuardia has been debating the possibility of utilizing certain city-owned property for picture production.

An alternative proposal offered to the Mayor would have the city take over Paramount's Astoria studios, now operated by Erpi, with money borrowed from the R.F.C.

$1,000,000 RFC Loan

There is a $1,500,000 mortgage on the property, interest on which amounts to about $30,000 yearly.

With a loan of $1,000,000 from the R.F.C., the city would be in a position to prepare the Astoria studios and offer facilities and money for the making of about eight films annually.

Refusal to Condemn 'Wind' Ousts Critic

The Daily Worker, Communistic paper, by firing its film critic, exposed its attitude toward the motion picture industry.

Because he honestly praised "Gone With the Wind" and refused to obey an order of his superior to condemn it as "a shameless glorification of white chauvinism and an affront to the Negro people." Howard Rushmore, critic, was dismissed.

Rushmore said he had been instructed to write a "100 per cent attack" on the film. He rewrote his review, retaining much praise for it, although he concluded that "Gone With the Wind" was a "magnificent bore." He refused to urge readers to boycott it. Rushmore was then fired.

Officials of *The Daily Worker* refused to comment on the situation.

Purely Personal

NICHOLAS M. SCHENCK, president of Loew's-M-G-M, will leave for Florida tomorrow for a brief vacation.

•

HENRY GINSBERG left for Hollywood Saturday on the *Sky Chief*.

•

PHILLIP WOOD, associated with RCA, at Camden, N. J., accompanied by his wife, is spending the holiday period with his parents, MR. and MRS. P. J. WOOD, in Columbus, O.

•

LEONARD GOLDENSON, Paramount home office theatre executive, will leave for Detroit today for conferences with EARL HUDSON of United Detroit Theatres.

•

E. J. TILTON, manager of the Des Moines Republic office, and HARRY HERMANN, Warner salesman, accompanied by their wives, have left by auto for a trip to Mexico City.

•

MR. and MRS. J. J. PRENDERGAST of Dubuque, Ia., are in Hollywood to spend the holiday with their son-in-law and daughter, MR. and MRS. DON AMECHE.

•

JOSEPH CALECHMAN, assistant at the Howard, New Haven, and his bride have left for a honeymoon in Florida. His wife is the former SALLY ESKIN of New Haven.

•

MR. and MRS. JOSEPH MAGUIRE of Kansas City are visiting here and in Philadelphia and will return to Kansas City after New Year's. MAGUIRE is a M-G-M salesman at Kansas City.

•

H. J. YATES, president of Consolidated Film Industries, returned Friday by plane with his son, DOUGLAS, from the Coast. DOUGLAS will return to the Coast after the holidays.

•

MILTON GOODMAN, salesman at the Columbia exchange in Des Moines, was married recently to LUELLA FREEBORN of Birmingham, Ia.

•

JACK WALSH, M-G-M exploiteer in Albany, started on his vacation Thursday. Together with his wife, he spent the holiday in New York.

•

JAMES STEWART leaves for Hollywood today from Pittsburgh where he spent the Christmas holiday with relatives.

•

JOSEPH DIETCH, Tri-States booker, has left Des Moines to spend the holiday season on the Coast.

•

STEWART MACDONALD of Warners is vacationing at Coral Gables, Fla. He is due back Jan. 8.

•

J. CHEEVER COWDIN, Universal board chairman, left for the Coast Sunday via T. W. A.

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Brandt Urges Hays Office Neely Attack

Harry Brandt, I.T.O.A. president, appeared before the M.P.P.D.A. board of directors' meeting late last week and urged that body to direct an organized industry effort to oppose passage of the Neely bill at the next session of Congress.

No action was taken by the board on Brandt's proposal.

Brandt told the directors' meeting that many industry elements are opposed to the Neely bill but are uninstructed on effective means of voicing their opposition. Many others, he said, are indifferent because they have no clear understanding of the measure, while still others are supporting it without knowing what its provisions are or how the bill would actually affect their interests if enacted.

The Neely bill and organized opposition to it is scheduled to be discussed at the next meeting of the M.P.P.D.A. board on Jan. 3.

Schaefer Going South

George J. Schaefer, RKO president, will leave for the South within the next few days for a brief vacation. He plans to return to New York thereafter before leaving for a studio visit of indefinite duration.

Singerman with Maymon

Sidney Singerman has been appointed special representative of Maymon Films, Inc., headed by Henry Ziskin, which is releasing "Tevya," starring Maurice Schwartz, Yiddish actor. The film currently is at the Continental on Broadway and the Walnut Theatre, Philadelphia.

Raives in Allied Post

Sol Raives of Buffalo, former president of the Theatre Owners Chamber of Commerce of New York City, has been appointed by the Allied Theatre Owners of New York as its exhibition contact man in upper New York.

WILLIAM HOSSFELD, film buyer of National Theatres, left yesterday for a two weeks' vacation on the Coast. AUBREY SCHENCK, also a buyer, is already vacationing on the Coast.

•

PHIL GRAVITS of the M-G-M New Haven exchange celebrates his birthday today.

•

BETTY BALDWIN, secretary to DAVID O. SELZNICK, left for the Coast yesterday via TWA.

•

EARL WINGART of 20th Century-Fox observed his birthday over the weekend, combining it with the Christmas celebration.

•

KEN THOMSON, executive secretary of the Screen Actors' Guild, has returned to Hollywood.

For Lunch, Dinner or Supper
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Second Christmas

Boston, Dec. 25. — Philip Hendrick, master of the hearing in the Morse & Rothenberg anti-trust action against the major companies, on Friday wished counsel for both sides a Merry Christmas.

He contended that it is very unusual for a master to wish the same counsel, in the same case, Merry Christmas two years in succession. Irving Rothenberg of Warners testified in the protracted proceedings on Friday.

New RKO Shares Offered Creditors

(*Continued from page* 1)

denied by the high court, both the underwriting offer and the consummation of the reoganization plan can be achieved promptly, ending the RKO rehabilitation process after seven years.

The Supreme Court has recessed for the holidays, so no decision on the creditors' writs can be expected before Jan. 3, when it reconvenes.

Claims Go to Bondy

Irving Trust Co., trustee of RKO, presented the final allowed claims of RKO creditors to Federal Judge Bondy on Friday in order to qualify those claimants for subscription rights to the new common. Subscription is at the rate of one share for each $24.44 of allowed claims.

On this basis, Rockefeller Center has a right to subscribe for approximately 161,000 shares. Its claim is $4,150,000.

Approved by 5-4 Vote

The Atlas compensation for underwriting which, it is reported, was responsible for the five to four vote on acceptance of the offer by the RKO board of directors, will amount to $47,000 on the basis of elapsed time between the date of the offer and the date of notification. In addition, Atlas will be paid 25 cents per share for each unsubscribed share which it must pick up after Jan. 10.

RKO filed notification in the Delaware courts last week of an increase in capitalization from the nominal $19,500, designated at the time of the formation of the new company some months ago, to its authorized capitalization of $21,000,000.

Bury Mrs. Frawley

Funeral services were held Sunday for Mrs. Julia Cahill Frawley, 56, wife of Gilbert B. J. Frawley of the Paramount home office. Mrs. Frawley died at her home Friday after an illness of several months. Burial was at Woodlawn Cemetery. A daughter, Mrs. Eleanor Grace March of Yonkers, also survives.

David Thompson Dies

David Thompson, RKO cashier, died on Friday of a heart ailment following a brief illness at his home in Jackson Heights, Queens. He was one of the oldest employes in point of service in RKO, having joined one of its predecessor companies, the Robertson-Cole organization, in 1921.

Zanuck Will Attend 2 Premieres Here

Darryl F. Zanuck, vice-president of 20th Century-Fox in charge of production, will attend the Broadway premiere of "The Blue Bird" at the Hollywood Theatre Jan. 19, and will remain here for the "The Grapes of Wrath," opening at the Rivoli Jan. 24.

Zanuck will be accompanied by several players and studio personalities. The premiere of "The Blue Bird" roadshow was changed from Jan. 17 to permit a Friday night opening.

"Swanee River," also a 20th Century picture will open at the Roxy Dec. 29 and will be given a big sendoff that night on the Kate Smith hour over CBS, starting at 8 P. M.

Al Jolson and Don Ameche, who appear in "Swanee River," and Nancy Kelly will broadcast highlights from the picture, and Jolson and Ameche will sing several of the Stephen Foster songs. Miss Kelly will substitute for Andrea Leeds, who is in Honolulu.

How Louella Gets News for Column

(*Continued from page* 1)

tributions for the meatiest items. These alone progress to the silver foxes; are read to the listening house. First item is the *Fame-Motion Picture Herald* exhibitor poll of Money Making Stars, read without credit to those publications.

"We'll use that," Louella says, on completing the reading. "It will appear in the *New York Journal-American*, later."

Next, she mentions with just the proper amount of weariness, how full her day has been, what with the Bennetts, the Talmadges and the transcontinental telephone; then recedes into the background to make way for the Stars of 1940 .

Arlene sings a song; Jane and Ronald do a skit; Joy sings a song; Susan and Ronald do a skit; June does a song and an acrobatic dance. Joy and June had the edge on applause.

Louella comes forward again, reads questions presumably submitted by patrons, answers them and takes a bow. So do the Stars of 1940. And one curtain call.

By any standard of comparison with today's vaudeville, it's a good act. Running time, 35 minutes.

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Tips on Exploitation

"Eternally Yours" Test Plugs Film in Cleveland

CLEVELAND, Dec. 25.—The secret of how to keep the one you love "Eternally Yours" won $10 and the 10 next best recipes won pairs of guest tickets when the picture opened here at Loew's State. The contest was run in cooperation with the *Plain Dealer*.

Sand Bags in Lobby Exploit "All Quiet"

DES MOINES, Dec. 25.—Eddie Dunn, manager of Tri-States Paramount here, for the showing of "All Quiet on the Western Front," used sandbags piled up around the ticket window centered by a machine gun. A man in uniform marched back and forth in front of the theatre with a gun.

Old Maid Dinner Helps Sell Picture

BIRMINGHAM, Ala., Dec. 25.—As part of a promotion here by the Alabama in connection with the showing of "The Old Maid," 50 old maids gathered for a banquet and election of officers for the Birmingham chapter, National Association of Happy Old Maids. The group were guests of Francis Falkenberg, manager of the Alabama.

Giggle-Ad Contest Used in Cincinnati

CINCINNATI, Dec. 25.—E. V. Dinerman, advertising and publicity chief of RKO here, is furnishing 10 pairs of guest tickets daily to RKO theatres for the best "Giggle-Ad" compiled from the classified section of the Cincinnati *Times-Star* section and submitted to the paper. The plan is to select a full line of type from four or more ads, and combine them into a paragraph, the most ludicrous of which rate the tickets.

Warner Stunt Used To Promote Revivals

PITTSBURGH, Dec. 25.—Warners is trying a new stunt here. Dubbed "You Name 'Em, We Play 'Em," the plan polls the audience a week in advance for films to play two-day bookings seven days hence, by having the patrons write their choices on ballot cards to be dropped into boxes as they leave. The audience gets a list to choose from, on which most of the pictures are reissues or revivals of better productions of the past.

Happiest Couple Party Aids "Eternally Yours"

COLUMBUS, O., Dec. 25.—In a tieup with the Columbus *Citizen*, Loew's Broad entertained at a theatre party to see "Eternally Yours," and a dinner at the Deshler Wallick Hotel, for the couple who had been happily married the greatest number of years.

Brochure on "Mice" A Distinctive Piece

United Artists publicity and advertising department has turned out a distinctive piece of promotion on "Of Mice and Men," the Hal Roach production. Frank Seltzer of the Roach Hollywood staff was responsible for the brochure, which, in large size, and printed on heavy coated buff paper, presents the highlights of the controversial film in sketch and pictorial display.

Navy Preview Used In 'Rulers of Sea' Plug

VANCOUVER B. C., Dec. 25.—For "Rulers of the Sea," the Capitol here invited as their guests 50 members of the Navy League of Canada, including about 30 Sea Cadets, to a special showing. A ship's bell and wheel were erected in front of the box-office, with a man in a naval officer's uniform ringing the bell at intervals.

Contest Exploits Milwaukee Dual

MILWAUKEE, Dec. 25.—Fox's Wisconsin in playing "Day-Time Wife" and "Remember?" on the same program, offered $100 in prizes to those writing the best answers to the question, "Who is the World's Greatest Screen Lover?" Fans were to choose between Tyrone Power and Robert Taylor and contest blanks were available in the lobby of the theatre.

SHORT SUBJECT REVIEWS

"1939—Year of Dark Contrasts"

(*Paramount*)

Scenes of war and unrest in Europe, culled from the 1939 Paramount News releases, are presented in this annual review and contrasted with the American scene, and the nation's tradition and ideals.

Both by picture and accompanying dialogue, the reel emphasizes the admonitions on foreign relations given to the American people by George Washington in his Farewell Address. Sub-titled "An Editorial on Film," the compilation is a frank item of flag-waving. It confines its preachment against dangers of foreign influence within the United States to the German-American Bund alone. As an "editorial," it is in the best Hearst traditions. As an annual review of the news it is incomplete. Running time, 13 mins.

"Frances Carroll and the Coquettes"

(*Warners*)

Comely Frances Carroll leads her all-girl orchestra in a swing session. In a bandstand setting, the girls play several songs, including one "jam session." Miss Carroll sings several choruses, Viola Smith provides a drum specialty and Eunice Healey does a tap dance. A good musical interlude. Running time, 10 mins.

"The Film Fan"

(*Schlesinger-Warners*)

Porky, sent on an errand by his mother, wanders off to see a film show in this black-and-white "Looney Tune" cartoon. The show consists of several satires on newsreels, trailers, etc. An announcement that a mother has just called to ask her son to return to his errand, clears the house. Should produce laughs. Running time, 7 mins.

"March of Time, No. 5"

(*RKO*)

"Crisis in the Pacific," as the latest "March of Time" reel is called, deals with the United States defenses in the Far East, notably efforts to develop and fortify Gaum. Using the present European conflict as a starting point, the reel offers a brief glimpse of the fighting forces of the belligerent nations. With England occupied in Europe, the defense of the Far East from Japan is left for this country.

Varied aspects of civil and naval life at Guam are shown. Health control, education, industries and government are photographed in detail. Principally, this issue gives a fine view of the little island but fails to reach the high standards of timeliness set by other recent issues of the reel. Running time, 17 mins.

"Old Hickory"

(*Warners*)

Warners' excellent "Historical Featuret" series is augmented by another splendid reel. Gen. Andrew Jackson, affectionately known as "Old Hickory" by his soldiers and fellow-frontiersmen, is the central figure. Others who appear include Gov. Claybourne, Lafitte, the pirate, Chief Justice John Marshall, Daniel Webster, Senator Robert Hayne and Abraham Lincoln. Heading the cast is Hugh Southern, with Nana Bryant, Victor Kilian, Irving Pichel, Natalie Moorhead, George Renevant and John Hamilton. Running time, 17 mins.

"One for the Book"

(*Warners*)

Here is a lively musical short with an interesting novelty touch. In a huge setting, which is a replica of a desk top in a library, the performers appear to be tiny figures who represent characters from books. Cinderella, Captain Kidd, Joe Miller, the joke book editor, Rip Van Winkle, Monte Cristo, and Huckleberry Finn are among those represented. A ministrel show, with songs, jokes and dances, is included. Betty Hutton, Hal Sherman, Miriam Grahame, the "Beaus and Belles" and the Gae Foster Girls perform. Running time, 20 mins.

"New Horizons"

(*Warners*)

The latest issue of "The Color Parade" is a travelogue of Alaska. After several scenic shots, the reel shows Alaskans farming, raising cattle, canning salmon and, finally, mining gold. The narration, by John Deering, is superior to the usual commentary in travelogues with a continuity provided by references to the dispute at the time Alaska was purchased. Running time, 10 mins.

"Screwball Football"

(*Schlesinger-Warners*)

With the football season over, this "Merrie Melody" cartoon in color is a gay burlesque of the sport. Both the players and the cheering sections are satirized. The animation is clever. Running time, 7 mins.

Five Pictures Under Reins Of Hornblow

HOLLYWOOD, Dec. 25.—During the first week in the New Year, ARTHUR HORNBLOW, JR., will begin handling production reins on five Paramount pictures. One of the first to go into production will be "The Ghost Breakers," which GEORGE MARSHALL will direct. The others are "The Golden Door," "Triumph Over Pain," "I Wanted Wings" and "Doomed Battalion."

WESLEY RUGGLES and CLAUDE BINYON have purchased screen rights to the novel, "Hunger," by LUCIEN GOTTSCHALK, who portrays the psychology of persons faced by famine. . . . CHARLIE RUGGLES' heaviest fan mail comes from the Argentine. At present he is in New York discussing his appearance in "Upside, Downside," B. I. P. production to be made in England, war or no.

WALTER MYCROFT's offer to Ruggles includes round-trip tickets on the trans-Atlantic *Clipper*. . . . EDDIE SUTHERLAND sends American cigarettes, candies and canned delicacies via every neutral vessel to friends overseas now in the British Royal Air Force, in which he was an officer during World War I.

Pleased at the response given introduction of the song, "South of the Border," in GENE AUTRY's picture of the same name, Republic will use "En El Rancho Grande," another popular tune, in his next, to be titled "Rancho Grande." WILLIAM BERKE will produce and GEORGE SHERMAN will direct. . . . Warners has extended the contract of actor JAMES STEPHENSON. . . . DALIES FRANTZ, concert pianist and actor, and KENT TAYLOR go into M-G-M's revamped "I Take This Woman," SPENCER TRACY-HEDY LAMARR vehicle.

Plan Pictures Only At Omaha Paramount

OMAHA, Dec. 25.—Tri-State Theatres has announced a "big picture" policy for the recently-opened Paramount. The 3,000-seat house has been open a month on a stage-film basis with fair results.

After a week at the Paramount, pictures will be moved to the Omaha for an additional week. Regular prices of 25-cent matinee and 40-cent evening will be in effect at both houses. Don Allen, Omaha manager, has moved to the Paramount as manager and Don Shane, Orpheum assistant manager, has moved up to Omaha manager.

Annual Festival

Leading citizens of Atlanta want to sponsor an annual "Gone With the Wind" festival and have asked David O. Selznick to assure them that they can get the film for the celebrations, which would be put on in the same style as the big jubilee in connection with the film's opening in Atlanta last week.

WE DIDN'T



"**SWANEE RIVER** is comparable to 'Alexander's Ragtime Band.' Is aimed for popular appeal and can't miss!"

—Daily Variety

"**SWANEE RIVER** comes close upon the heels of 'Gone With the Wind.' They are both in same cycle so to speak. And 'Swanee' is certainly jam-packed with the same beautiful sentiment and charm. Don Ameche's portrayal of Stephen Foster is as good as Paul Muni's Pasteur and Robert Donat's Mr. Chips."

—Jimmy Starr, L. A. Herald

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

An

"SWANEE RIVER" on KATE S

(8-9 p. m. Eastern T

VRITE THIS AD!

"**SWANEE RIVER** another great Technicolor film from 20th Century-Fox. Tensely dramatic story that has captured the true American spirit and brought to the screen a vivid nostalgic piece of celluloid entertainment and beauty. 'Swanee River' like 'Alexander's Ragtime Band' will have entire nation singing old songs."

—Erskine Johnson, L. A. Examiner

"**SWANEE RIVER** the best blending of story and song the sound screen has ever had, with the combination of story and song magnificently acted, produced and directed. Should ring the box office bell everywhere as swell entertainment."

—Hollywood Reporter

he air

H'S HOUR, this FRIDAY NIGHT

10 p. m. Pacific Time)

'That's Right' Pulls $14,500, Los Angeles

LOS ANGELES, Dec. 25.—"That's Right, You're Wrong" scored $14,500 at two houses, $7,300 at the Hillstreet and $7,200 at the Pantages. Grosses were generally off.

Estimated takings for the week ending Dec. 20:

"Judge Hardy and Son" (M-G-M)
"Nick Carter, Master Detective" (M-G-M)
CHINESE—(2,500) (30c-75c) 7 days. Gross: $9,100. (Average, $12,500)
"Intermezzo" (U. A.)
4 STAR—(900) (40c-55c) 7 days, 6th week. Gross: $2,100. (Average, $3,250)
"That's Right, You're Wrong" (RKO)
"Meet Dr. Christian" (RKO)
HILLSTREET—(2,700) (30c-65c) 7 days, 2nd week. Gross: $7,300. (Average, $6,500)
"Judge Hardy and Son" (M-G-M)
"Nick Carter, Master Detective" (M-G-M)
LOEW'S STATE—(2,500) (30c-75c) 7 days. Gross: $13,300. (Average, $14,000)
"That's Right, You're Wrong" (RKO)
"Meet Dr. Christian" (RKO)
PANTAGES—(3,000) (30c-65c) 7 days, 2nd week. Gross: $7,200. (Average, $7,000)
"Four Wives" (W. B.)
"Smashing the Money Ring" (W. B.)
WARNER BROS.—(Hollywood)—(3,000) (30c-65c) 7 days. Gross: $9,600. (Average, $14,000)
"Four Wives" (W. B.)
"Smashing the Money Ring" (W. B.)
WARNER BROS. (Downtown)—(3,400) (30c-65c) 7 days. Gross: $10,700. (Average, $12,000)

"Wind" Going Strong In Four More Cities

"Gone With the Wind" late last week opened five engagements in four cities with ticket sales reported as being unusually strong.

There was a dual opening in Boston. It is showing on a reserved seat basis at the State, while at the Orpheum it is being screened thrice daily with only the evening performance reserved. At the Colonial in Reading, Pa., there are two daily reserved seat showings. At the Capitol, Cincinnati, and at Loew's, Harrisburg, Pa., three performances are held daily on an unreserved basis.

In New York "Gone With the Wind" at the Astor and Capitol was drawing daily capacity crowds. The Astor reported tickets for the matinee shows sold out to Jan. 15 and for the evening performance to Jan. 23.

Roosevelt Charters Globe Productions

(Continued from page 1)

velt are J. F. T. O'Connor, former Federal Comptroller of the Currency, and F. M. Hole.

Roosevelt indicated, following his resignation from the Goldwyn organization, that he planned to produce independently. He has, however, retained his position as president of Goldwyn Studios, Inc. He plans to produce at the Goldwyn plant.

Acquire French Film

Joe Rice Malcolm and Nat Sanders have acquired the U. S. distribution rights to Marcel Pagnol's French film, "La Femme de Boulanger", from Raphael Hakim. The film will be released in this country as "The Baker's Wife."

Critics' Quotes . . .

"GULLIVER'S TRAVELS"

Entirely worthy of its predecessor, "Snow White." . . . The kiddies will embrace it warmly, for it is less sentimental than "Snow White," and it is wildly active. . . . It has somewhat less charm (*N. Y. Daily Mirror*). A fairy tale for children and for children almost exclusively. . . . A pleasant and diverting animated picture book. . . . Some parts of it are amusing enough for adults. (*N. Y. Times*). "Gulliver's Travels" is a show to enchant children of all ages. It is not in the same league as "Snow White," but it is bright and amusing entertainment (*N. Y. Herald Tribune*). An ideal holiday feature. It is a delightfully amusing picture that children, particularly, will love (*N. Y. Daily News*). It is hard to hold the interest of an audience throughout an hour and a half of cartoon. The Fleischers have not altogether succeeded in this. . . . Pleasant, dainty, but a little too juvenile (*N. Y. Sun*). A lively cartoon. . . . The Prince and Princess leave something to be desired. Sure delight for the young of all ages (*N. Y. Post*). Engaging entertainment for both adults and children (*N. Y. Journal and American*). Considerable charm, humor and imagination. . . . "Gulliver" is no match for "Snow White," but it is quite capable of standing on its own without any apologies (*N. Y. World-Telegram*). Fleischer's idea clicks in a big way. . . . Highly engrossing, tremendously entertaining (*L. A. Herald Express*). A celluloid Christmas present to moviegoers everywhere.

"RAFFLES"

The picture has the proper mixture of charm, romance and melodrama that made earlier "Raffles" stories successful. The story is almost too slight for the lavish production Goldwyn has given it (*L. A. Examiner*). David Niven carries on the tradition of Raffles . . . but unfortunately the first picture starring him as Raffles is conventional and in the lightweight category (*L. A. Times*). Mystery lovers have a real treat in store for them. . . . New twists, considerable glamor (*L. A. Herald Express*).

"SWANEE RIVER"

A sentimental masterpiece, a cinema that can well take its place with the important productions of Hollywood (*L. A. Herald Express*). What lifts it into the better-picture class is its sadly human portrait of the kind of character that is in constant need of being rediscovered (*Hollywood Citizen-News*). Another melodious branch added to the biographical musical tree. . . . A picture that has unusual charm and is beautifully presented in color (*L. A. Times*). A pulsating plot for another great Darryl Zanuck color film biography. . . . A tensely dramatic story. . . . A vivid, nostalgic piece of celluloid entertainment (*L. A. Examiner*).

"THE LIGHT THAT FAILED"

Wings its way to idealistic heights . . . one of the finest pictures of its type. . . . Truly a worthy contribution to a banner season of the cinema (*L. A. Times*). The picture gives Colman his first meaty role in many months. . . . Rudyard Kipling's famed book has been transferred to the screen with sympathetic fidelity (*L. A. Examiner*). A highly literate picture. . . . It is emotionally poignant, yet soft-spoken and reserved. . . . Physically uneventful (*Hollywood Citizen-News*).

Ticket Code Signing Up to Each Broker

Associated Theatre Ticket Agencies will permit members to sign or refuse the new ticket code in accordance with individual preferences, it was learned over the weekend. The The A.T.T.A., which represents the smaller brokers, will meet today for a final decision on acceptance of the code.

The brokers have been seeking representation on the Code Enforcement Authority, now composed of members of the League of New York Theatres and Actors Equity. The League has taken the position that the code took effect when Equity agreed to it, and no further modifications will be permitted.

Gustave A. Gerber, attorney for the A.T.T.A., has been successful in obtaining one concession. The League has agreed to have the brokers represented on a general committee with advisory powers but not all brokers are satisfied with this arrangement.

However, those brokers who refuse to sign the code as it now stands will be relegated to the classification of "unaccredited brokers" and producers will be forbidden to make any allotments of tickets to them.

Deal at Greenwich By Loew's Denied

GREENWICH, Conn., Dec. 25.—Edward J. Paskay, owner of the Pickwick Theatre here, over the weekend issued a statement denying that Loew's, Inc., had assumed operation of the theatre.

Although admitting that such a deal had been entertained, Paskay said the Federal Anti-Trust Division had refused to give its approval because of the agreement made last February between the government and the majors.

At that time film companies agreed to maintain a status quo condition, acquiring no new theatres without first obtaining Federal permission as a result of pending anti-trust suits.

WASHINGTON, Dec. 25.—Department of Justice officials Saturday refused to confirm reports that the anti-trust division had turned down the reported offer of Loew's, Inc., for the Pickwick Theatre at Greenwich, Conn.

Close 10 Sound Deals

National Theatre Supply Co. New York branch has closed 10 contracts for Simplex Four-Star sound systems within the past 10 days.

Yule Season Hits Denver, Grosses Slip

DENVER, Dec. 25.—With Christmas shopping a big competitive factor, theatres were lucky to stay close to average.

Estimated takings for the week ending Dec. 20:

"Private Lives of Elizabeth and Essex" (W. B.)
ALADDIN—(1,400) (25s-40c) 7 days, 2nd week. Gross: $3,500. (Average, $3,500)
"Ninotchka" (M-G-M)
"Sued for Libel" (RKO)
BROADWAY—(1,040) (25c-35c-40c) 7 days, 2nd week. Gross: $2,500. (Average, $2,500)
"Our Neighbors, the Carters" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days. Gross: $4,000. (Average, $6,500)
"Housekeeper's Daughter" (U. A.)
DENVER—(2,525) (25c-35c-40c). 7 days Gross: $9,000. (Average, $9,000)
"Another Thin Man" (M-G-M)
"Secret of Dr. Kildare" (M-G-M)
ORPHEUM—(2,600) (25c-35c-40c) 7 days, 2nd week, "Thin Man." Gross: $8,500. (Average, $9,000)
"U-Boat 29" (Col.)
"The Honeymoon Is Over" (20th-Fox)
RIALTO—(878) (25c-40c) 7 days. Gross: $1,750. (Average, $1,750)

'Thin Man' $7,200 Leads Milwaukee

MILWAUKEE, Dec. 25.—"Another Thin Man" and "Bad Little Angel" connected for a nine-day take of $7,200 at Fox's Wisconsin. Runner-up was "That's Right, You're Wrong" and "Meet Dr. Christian" grossing $6,100 at the Warner.

Estimated takings for the week ending Dec. 21:

"Mr. Smith Goes to Washington" (Col.)
"Bulldog Drummond's Bride" (Para.)
PALACE—(2,400) (25c-35c-50c) 8 days. Gross: $4,000. (Average, $4,000)
"The Covered Trailer" (Rep.)
RIVERSIDE—(2,700) (25c-30c-35c) 7 days. Sage: "Park Ave. Scandals." Gross: $5,800. (Average, $6,500)
"Day-Time Wife" (20th-Fox)
"Remember" (M-G-M)
STRAND—(1,400) (25c-35c-50c) 8 days. Gross: $1,500. (Average, $1,500)
"That's Right; You're Wrong" (RKO)
"Meet Dr. Christian" (RKO)
WARNER—(2,400) (25c-35c-50c) 8 days. Gross: $6,100. (Average, $4,500)
"Another Thin Man" (M-G-M)
"Bad Little Angel" (M-G-M)
WISCONSIN—(3,200) (25c-35c-50c) 9 days Gross: $7,200. (Average, $5,500)

Big Names on First Broadcast by TBS

Transcontinental Broadcasting System will go on the air at 10 A. M. New Year's Day with an inaugural program that will tap virtually every section of the country.

From Miami, between 8 and 9 P. M., TBS will present Arthur Pryor and his band, Shep Fields and his orchestra and a rhumba and conga band of forty pieces.

Spotted on the Miami program will be General Batista of Cuba, Governor Dundas of the Bahamas and Governor Cone of Florida.

Other national figures to be heard over TBS during the day will include Gov. O'Daniel of Texas and Gov. Horner of Illinois.

Moon Settles Suit

DETROIT, Dec. 25.—Ray Moon, who sued Cooperative Theatres of Michigan, booking combine, for back salary and breach of contract, involving $11,000, today said that the case had been settled satisfactorily out of court.

England Plans Portable Films For Evacuees

By AUBREY FLANAGAN

LONDON, Dec. 12 (*By Mail*).—Film shows by portable units are being considered by the Ministry of Information for the entertainment of evacuees. The Ministry, which is currently exploring the idea, aims at giving these shows in those remote reception areas which are out of the reach of commercial picture houses.

The Ministry has the support and collaboration of the Ministry of Health and the Board of Education. They are also in touch with the Cinematograph Exhibitors Association in the matter.

Suggestions that the Eire Government should swell their revenues by further taxing film theatres have been scouted by Dean T. O'Kelly, Minister of Finance. In the Eire Parliament he replied that theatres are already heavily taxed.

Deficits on the balance sheet of Gainsborough Pictures now amount, following the last year's trading to £137,006. The adverse balance on the profit and loss account has been increased by £12,445.

Ilford, Ltd., report a profit in the financial year of £131,097 and a dividend on the ordinaries of eight per cent.

British exhibitors are seeking an adjustment of electricity costs. Their efforts are being directed not only through local channels but directly at national and regional controlling bodies.

They ask that concessions be made for the periods during which theatres were compulsorily closed and that the fixed price tariff in future be based on the maximum post war demands.

Cincinnati Houses Back Slump Plan

CINCINNATI, Dec. 25.—Greater Cincinnati exhibitors attending the first of three Ohio regional meetings at the Netherland Plaza here pledged 100 per cent support to P. J. Wood, secretary of the I. T. O. Ohio, in his proposed program to combat the slump in Tuesday night theatre attendance by offering double the "Pot o' Gold" radio award to the winner who is in a member theatre when his phone is called

Screencraft Formed

ALBANY, Dec. 25.—Screencraft Pictures, Inc., has been chartered here by Jacob S. Berkson, Buffalo; Bernard H. Mills, Albany, and Betty D. Draisin, New York. Berkson formerly operated the Republic exchanges in Buffalo and Albany, respectively.

Set Theatre Subsidiary

Transatlantic Distributors, Inc., has formed a subsidiary, Transat Operators, Inc., to operate the Belmont Theatre. A series of new French films will be shown. The first, "Last Desire," is currently playing.

Theatre and Personnel Notes

Fox Intermountain Competition

DENVER, Dec. 25.—Fox Intermountain is letting some of its spots go, and is getting competition in at least three cities in the Denver area which they had exclusively for years. N. S. Sawaya took over the Strand at Trinidad, and after remodeling it, will reopen about Christmas. Jack Allender is already operating there, having opened the past Summer. Ed Mapel, Denver theatre man, has reopened the State at North Platte, Neb., and intends reopening a house at Walsenberg, Colo., by Christmas.

Two Close in Oklahoma

FREEDOM, Okla., Dec. 25.—F. P. Ward, operator of the Freedom here, has closed the house for an indefinite period. J. L. Porter, operator of the Longhorn at Durham, Okla., has closed that house until Spring.

Remodel Fort Worth House

FORT WORTH, Tex., Dec. 25.—The Majestic, oldest theatre here, will be closed for remodeling in the middle of January.

Plan Two in California

SAN FRANCISCO, Dec. 25.—Bunny Lustig and A. Sims, who recently opened the $200,000 Tower in Santa Rosa, are planning erection of two more theatres in northern California next Spring.

Open Iowa Theatre

DES MOINES, Dec. 25.—The Central States Theatre Corp. has opened the new 570-seat Zephyr at Burlington, Ia., with L. J. Wegner, Burlington city manager for the company as manager.

Open in Plant City, Fla.

PLANT CITY, Fla., Dec. 25.—Plant City's newest theatre, the State, has opened with T. J. Sparrow as manager.

Tri-State Plans House

HONEY GROVE, Tex., Dec. 25.—Tri-State Theatres has purchased the Pierce Building, which will be modernized into a theatre.

Atlanta House Reopens

ATLANTA, Dec. 25.—The Roxy, formerly the Georgia, closed since June, has reopened.

Buys Iowa Theatre

ALLISON, Ia., Dec. 25.—A. L. Spencer has bought the State here from H. L. Germer.

Opening House Feb. 1

CINCINNATI, Dec. 25.—Louis Wiethe expects to open his new 1,000-seat suburban Westmont Feb. 1.

Sells Theatre in Iowa

SIGOURNEY, Ia., Dec. 25.—J. A. Meredith, who bought the Garden Theatre here in 1930 and completely remodeled it, has sold it to W. H. Eddy, operator of a theatre at Indianola, Ia.

Open New Iowa House

DES MOINES, Dec. 25.—The Pioneer Theatre Corp. has opened the new State at Rock Rapids, Ia., with Art Farrell, manager of their Rapids there, as manger.

Lease Columbus House

COLUMBUS, O., Dec. 25.—Newly incorporated Empress Amusement Co. has taken a 20-year lease, at $550 monthly rental, on the 600-seat neighborhood, subsequent run, from Hamilton Realty Co., a holding organization. Wallace B. Ingram, manager Champion, is president of the new corporation, Walter P. Miles, projectionist at the state censor division, vice-president, and Mrs. Ethel Chesbrough Miles, manager Garden, secretary and treasurer.

Open Tennessee House

MUNFORD, Tenn., Dec. 25.—The Munford, of which H. N. Haddad is owner, has been opened here. Seating 400, it cost approximately $15,000.

Plans Henderson Theatre

HENDERSON, N. C., Dec. 25.—Work is to begin early next year on a new theatre for S. S. Stevenson. He recently purchased the old Watkins Building.

Enlarging N. C. Theatre

KERNERSVILLE, N. C., Dec. 25.—J. T. Justice, owner and operator of the Pickfair, plans to enlarge the house by the addition of 125 more seats. Approximately $5,000 will be spent.

Lucas & Jenkins to Build

COLUMBUS, Ga., Dec. 25.—W. J. Davis of Atlanta, representing Lucas & Jenkins, Inc., plans the construction of a modern theatre in the downtown section, estimated to cost $150,000. Work on the new house, to seat 2,000, is expected to get under way in January.

Reopens in Oklahoma City

OKLAHOMA CITY, Dec. 25.—The Ritz, suburban house here, will be reopened about Jan. 15, according to Walter B. Shuttee, general manager of Standard Theatres. The house is being remodeled.

Plan Toronto House

TORONTO, Dec. 25.—Planned here is a 1,500-seat theatre to be known as the World of Tomorrow by the prospective builder and owner, A. Merker.

Theatre Firm Formed

ALBANY, Dec. 25.—Transat Operators, Inc., has been incorporated here to conduct an exhibition business by Saul Bernstein, Eunice Horn and Helen Kamen, New York.

Albany Theatre Planned

ALBANY, Dec. 25.—Planned by the Charles Buchman Corp., New York, is a project here for 54 apartments in a house with a neighborhood theatre located on the ground floor.

Resume Cincinnati Vaudeville

CINCINNATI, Dec. 25.—RKO Shubert, which switched from stage shows and pictures to straight films a few weeks ago, will resume the combination policy Dec. 29, opening with the "Hellzafire" revue.

Malco Buys Theatre

ARKANSAS CITY, Ark., Dec. 25.—The Ritz at McGehee has been sold by Mrs. Bernice Baradel to Malco Theatres, Inc.

Quits Denver Orpheum

DENVER, Dec. 25.—F. A. Polich, assistant manager at the Orpheum has resigned, and was succeeded by Phil Douglass, chief of staff. Leland Stewart was raised to the latter job.

Plan Galveston House

GALVESTON, Tex., Dec. 25.—Martini Theatre Enterprises, Inc., plans a 750-seat house here.

Shreveport House Planned

SHREVEPORT, La., Dec. 25.—Shreveport Theatre Corp. plans a new Negro house here. Claude Hazle is president of the corporation.

Altec, Lichtman in Deal

Altec has closed a deal to service the equipment of Lichtman Theatres, Inc., covering 22 houses in Washington, D. C., Virginia and North Carolina. E. O. Wilschke and Warren Conner represented Altec.

Start Arkansas House

FLIPPIN, Ark., Dec. 25.—Construction of a new theatre here will be completed by Feb. 1. W. N. Christian will operate the new house, seating 800.

Miami Theatre Under Way

MIAMI, Dec. 25.—Work is underway on a new $50,000 theatre, seating 900, for Wometco Theatres.

Airdrome in Indianapolis

INDIANAPOLIS, Dec. 25.—The city's first open-air theatre is planned for next April on a site on the northeastern edge of town. Philip Smith of Boston, president of the Midwest Drive-in Theatre Corp., will be the operator. The house will cost $75,000, it is estimated. About 500 automobiles will be accommodated before the 50 x 50 foot screen.

Taking Warner Theatre

SANDUSKY, O., Dec. 25. — Seitz Amusement Co. will take over the 690-seat Plaza here upon expiration of Warners' lease Jan. 1. Warners will continue operation of the 700-seat Ohio. Woodrow Meyer, assistant manager at the Plaza, has been transferred to the Ohio, at Canton, as assistant to manager William Harwell.

Installing New Seats

CHESHIRE, Conn., Dec. 25.—Natale DeFrancesco has contracted for the installation of 400 new seats in his new Cheshire Theatre, to be opened about Jan. 15.

Ellis Operates Own House

George S. Ellis, for the past seven years city manager of the State and American, East Liverpool, O., has resigned to run his own new Park Theatre in North Canton, O.

Plan Technicians' Talks

Laboratory Technicians Union, Local 702, will start negotiations for film cutters and librarians employed in the New York area within the next month, union officials indicated over the weekend. Approximately 60 cutters have joined, a number which represents a majority, union officials declared.

Ascap to File Final Seattle Briefs Today

Final reply briefs will be filed by Ascap in Seattle today in connection with the music licensing society's action to contest the constitutionality of the Washington anti-Ascap law.

The briefs were completed here late last week by the law firm of Schwartz & Frohlich, Ascap counsel, and supplement testimony given before a special master in Seattle recently to show that Ascap has involved in its business a sufficient financial amount to give the Federal court jurisdiction in the case.

The special master's report is expected about Jan. 15. Thereafter the case will be returned to the special three-judge Federal statutory court for a ruling on the constitutionality of the state law.

The retirement of Judge Cushman of Washington leaves a vacancy in the court which has already heard arguments on the constitutionality of the statute. Presumably, the appointee to fill Cushman's vacancy will be the new member of the court.

The Washington case probably will provide the first test of anti-Ascap legislation and will have a bearing on all similar legislation now pending.

WHBY Is Moving To New Location

APPLETON, Wis., Dec. 25.—WHBY will open Jan. 1 at a new location on Grand Chute Island with a new building and transmitter. The station will operate for 17 hours daily instead of on the present 13½-hour schedule.

Although the complete personnel has not yet been selected, it was disclosed that Rev. James A. Wagner will be managing director, Hayden R. Evans, general manager, and Elliott Henry, publicity director. The station will be a full-time affiliate of Transcontinental.

Philadelphia Club Headed by Blofson

PHILADELPHIA, Dec. 25.—Albert Blofson has been elected president of the Showmen's Club. The organization is composed of local film men.

Other officers include Charles Goldfine, first vice-president; Meyer Adelman, second vice-president; William Z. Porter, secretary; Jack Litto, financial secretary and A. Laurance Mackay, treasurer. The board consists of Samuel Steiffel, Harry Blumberg, Charles Steiffel, Raymond O'Rourke, and Allen Lewis. David Yaffe was named counselor.

RCA Promotes De Sousa

George S. De Sousa, treasurer, has been elected vice-president and treasurer of Radio Corporation of America. De Sousa has been treasurer of RCA since its formation in 1919, and prior thereto was an officer of the Marconi Wireless Telegraph Company of America, the predecessor company to RCA.

Hollywood Reviews

"The Light That Failed"

(*Paramount*)

HOLLYWOOD, Dec. 25.—This, Ladies and Gentlemen of show business, is the kind of picture the art-industry was built upon and has been sustained by throughout its history, a strong story ably told and soundly acted by competent talent. This is no grab at a transient public fancy, no pell mell dash into subject matter of impermanent popularity, no mere attempt to snare the passing pedestrian and sell him a quick ticket. This is, in short, the goods.

Ronald Colman is the particular star of this extremely well starred production and he has as acting company such sterling performers as Walter Huston, Dudley Digges, Ernest Cossart, Colin Tapley and their kind. William A. Wellman is producer and director of this film and it is axiomatic in Hollywood that Wellman knows precisely what to do with a substantial piece of screen property when he gets his hands on it. The late Rudyard Kipling's novel is and long has been that kind of screen property. These congenial circumstances have been combined in a superlative screen result.

The story is of that era when wars were fought in person and war correspondents shared the battle field risks of the British Tommies in the Sudan. Colman and Huston are such correspondents. Colman is also an artist, becomes a famous one and wealthy, whereupon he meets a childhood sweetheart who postpones a romantic conclusion until she shall have made her own career as a painter. Blindness comes to Colman and with it complications requiring sacrifices, finally the sacrifice of his life in a cavalry charge. The synopsis does not tell the story; the picture does, handsomely.

Muriel Angelus and Ida Lupino perform excellently the relatively slender faminine characterizations required in a fundamentally masculine story.

Running time, 95 minues. "G"* ROSCOE WILLIAMS

"Raffles"

(*Goldwyn-United Artists*)

HOLLYWOOD, Dec. 25.—The production values of a well chosen cast, fine phography, a story with suspense, are evident here as in all of the films showman Sam Goldwyn has produced for the showmen of America. David Niven is casually perfect as "Raffles," cricket player and cracksman; Olivia DeHavilland, fresh from her "Melanie" in "Gone With the Wind," is lovely as the girl he loves; Dame May Whitty and Dudley Digges provide their customarily amusing characterizations.

Playwrights John Van Druten and the late Sidney Howard wrote the screenplay from the E. W. Hornung stories, and Sam Wood directed; the story concerning the blithe young English aristocrat who embarks on one last crime, that of stealing a necklace, in order to get money for the brother of the girl he loves.

This is excellent entertainment for those majority of situations where action, coupled with smooth background sequences, constitute box-office.

The ability of the story to hold audiences has been demonstrated in previous film versions, "Raffles" having appeared on the screen in 1917, 1925 and 1930. This newest treatment of the story puts in a strong bid for equally good or better reception by today's audiences.

Running time, 70 minutes. "G."* WALTER SELDEN

* *"G" denotes general classification.*

Games Bring Arrest

INDIANAPOLIS, Dec. 25.—Police arrested Orvin Moore, manager, and James Kennedy, an employe, when a game drawing was held in the Ohio theatre, downtown subsequent-run house. Neither winner was in the audience and a woman who made the drawings was questioned but not arrested.

Jack Strief Dies

CINCINNATI, Dec. 25.—Jack Strief, 20, son of Frederic Strief, local exhibitor, died at the home of his parents here of a self-inflicted bullet wound. He also is survived by his widow.

Exempt Projectionists

OSHKOSH, Wis., Dec. 25.—An ordinance licensing electricians has been amended by the Common Council to exempt film projectionists. The measure has been in effect for the past three months and its provisions, prior to the passage of the amendment, were broad enough to include projectionists.

New Pact for Westmore

HOLLYWOOD, Dec. 25.—Perc Westmore has signed a new five-year contract to head the Warner makeup department. Westmore has been associated with the company for the past 19 years.

Radio Brevities

WGN is feeding three musical sustainers to the Mutual network this week. Grace Moore was on last night. Jan Kiepura will be heard Thursday at 10:30 P. M. and Allan Jones will be heard Sunday at 7:30 P. M.

The Shuberts have taken two participations in John Reed King's "[illegible] Side of the News" over WABC for their shows, "Hellzapoppin'" and "Streets of Paris." Announcements for the shows will be made today and Thursday at 8:25 A. M.

Dr. Earle S. Sloan, for Sloan's liniment, has renewed Cal Tinney's "Youth vs. Age" for an additional 13 weeks, effective Jan. 27. However, the program will be shifted from 105 NBC-Blue stations to 32 on the Red and the time moved from Saturdays at 8:30 P. M. to one hour later.

Revelation Tobacco has renewed the "Name Three" show over Mutual, effective Jan. 13. Instead of the present four stations, the show will be carried by WOR and WGN, Chicago, CKLW, Windsor-Detroit, WKRC, Cincinnati, and WCAE, Pittsburgh.

Fred Allen will celebrate his sixth anniversary on NBC-Red Wednesday at 9 P. M. with Robert Benchley as his guest.

Mutual is experimenting with the daytime serials based on the comic strips of the Chicago *Tribune*-New York *Daily News* Syndicate. Replacing last week's "Gasoline Alley" and "Smilin' Jack," will be "The Gumps" and "Terry and the Pirates" this week. Two will be tried each week until the best pair are selected. The strips are heard Mondays through Fridays at 2-2:15 P. M. and 2:30-2:45 P. M.

Bernardino Molinari, the Italian conductor, arrived over the weekend on the *Conte di Savoia*. He will make five appearances as guest conductor of the NBC Symphony Orchestra from Saturday Jan. 6 to Feb. 3.

Strotz Is Elected NBC Vice-President

Sidney M. Strotz, manager of the NBC central division with headquarters in Chicago, was elected a vice-president by the board of directors, Lenox R. Lohr, president, announced on Friday.

Strotz has been manager of the central division since January, when Niles Trammel was transferred to New York as executive vice-president. Previously, Strotz had been program and Artists' Service manager of the central division since 1933, when he joined NBC.

Endorse Metro Short

"Drunk Driving," M-G-M short subject in the "Crime Does Not Pay" series, has been endorsed by the Board of Officers of the International Association of Chiefs of Police.

Byrd on Loew Circuit

Ralph Byrd, star of Republic's "Dick Tracy" serials, on Friday started a barnstorming tour of the Loew circuit in the Metropolitan area.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 124 NEW YORK, WEDNESDAY, DECEMBER 27, 1939 TEN CENTS

Dies to Reveal CommunistAid In Hollywood

Report of Inquiry May Be Issued This Week

WASHINGTON, Dec. 26.—Details of Communistic activities on the part of a score of Hollywood personalities will be disclosed in a report now being prepared by Dies Committee investigators on the eight-month investigation of un-American activities on the Pacific Coast, it was learned here.

Details of the report are not being divulged, but it is said that it will show that many others in the film colony made contributions to various organizations sponsored by Communists, and that the Communists made special efforts to interest Hollywood figures in the "cause."

The report will be submitted to the House Committee probably this week, and may be made public by Chairman Dies. No hearings are expected on the Coast report, since the Dies Committee officially ends on Jan. 3. No names have been disclosed as yet.

The drive to enlist Hollywood was initiated in 1935, the Coast inqury disclosed. A special committee of the Los Angeles Communist Party acted to obtain members and gather money, either directly or through "front" organizations. At one time contributions ran as high as $3,000 monthly, it is claimed.

Investigators are said to have stud-

(*Continued on page 2*)

306 Elects Today, Cites Wage Gains

Increases for union projectionists employed in New York City during the past two years have been $226,502 annually, affecting 702 men, Joseph D. Basson, president of Operators Union, Local 306, declared in his biennial report.

Election of officers and members of the executive board of the local will take place at the Palm Gardens today.

The total increase does not include raises anticipated as the result of an arbitration now pending with the major circuits, Basson said. The recent I.T.O.A arbitration resulted in annual increases of $93,806, affecting 393 projectionists, Basson pointed out.

Of the total number of 590 theatres in this city, 409 employ Local 306 projectionists, while the remainder employ members of Empire State

(*Continued on page 2*)

'Wind' Opens in 40 Key Cities Jan. 25; Ticket Sale Strong

"Gone With the Wind" is scheduled to open in about 40 key cities Jan. 25 and in 40 or 50 additional cities on Feb. 2, according to present plans of M-G-M and Loew's.

Branch managers and salesmen will start offering the picture to key exhibitors in the next few days. All contracts will be written on the announced 70 per cent rental and for an indefinite run. In no situation will the run be less than a week.

Contracts will specify that local advertising on the engagement shall start 10 days in advance of opening.

Policy of run, whether reserved or unreserved, and the admission price, will be based on the experience of the test runs now under way.

The Astor reports a sellout of tickets for night performances four weeks ahead. The advance sale at the Grand, Atlanta, where the film had its world

(*Continued on page 7*)

Operating Problem Is Told in Trailers

MINNEAPOLIS, Dec. 26.—In a gesture that has never been duplicated locally, Gordon Greene, manager of the Minnesota Theatre here, has presented his operating difficulties to the public by means of trailers shown from his screen.

Product for the Minnesota has been limited to Republic and Monogram, due, he says, to the fact that the Minnesota Amusement Company, con-

(*Continued on page 7*)

Paramount's 1939 Profit $4,500,000

Paramount will show earnings of approximately $4,500,000 this year, according to Wall Street sources. The final quarter of the company is expected to reach upwards of $1,300,000. Increased theatre income is reflected in these figures. The company's foreign business has recovered from the first shock of the war and is nearly normal again. Last year, the company earned $4,096,000.

Small Brokers Vote Ticket Code Down

Claiming that the League of New York Theatres should contribute to the enforcement fund for the ticket code, the Associated Theatre Ticket Agencies, organization of the smaller ticket brokers, rejected the code yesterday, 14 to 1. One of the brokers refrained from voting.

The League will meet today to consider the attitude of the brokers and plan the future of the code. Six brokers, including the three major ones, have accepted the code.

Max Gordon, the producer, appeared before the council of Actors Equity yesterday to express his dissatisfaction with the present code. He declared that the brokers should be compelled to accept complete responsibility for tickets through the medium of "buys" or an alternative plan should be set up under which all tickets are sold at the boxoffice. The council took no action.

Majors Attack U. S. 'Tactics' In Trust Fight

Deny Industry Is Seeking To 'Sabotage' Suit

Last week's charge by Department of Justice spokesmen that the motion picture industry has been attempting to "sabotage" the Government's anti-trust suit brought spirited rejoinders yesterday from attorneys engaged in preparation of the case for the film company defendants.

The response included statements that several "back-door attempts" to interest the principal industry defendants in discussions of a settlement of the suit have been made from time to time by individuals who presumably had been given their mission by Washington officials. All such overtures have been ignored by the defendants, it was said.

Deny 'Sabotage' Attempts

The attorneys' comments were directed at a statement issued by Thurman Arnold, special assistant to the U. S. Attorney General, last week denying Washington reports that the New York anti-trust suit would be "settled."

Inferring that the reports had been originated by the defendants, the statement referred to them as "another" example of the industry's attempts to "sabotage" the suit, the earlier attempts, according to the Department of Justice official, having been repeated efforts to delay the suit in coming to trial.

Industry attorneys countered with the charge that the greatest single

(*Continued on page 8*)

Broadway Houses Have Big Christmas Weekend

Broadway first and subsequent run houses had one of the biggest weekends in several years over the Christmas holiday. Clear weather prevailed for the three days and grosses showed upturns.

Yesterday, out-of-town visitors and vacationing school children, accompanied by their parents, thronged Broadway during the morning hours. Shortly after noon, every theatre was announcing a wait for seats and long queues overflowed into the streets.

Neighborhood houses throughout the city were generally off until the afternoon of Christmas Day when business started on the upgrade. Yesterday, major and independent circuits reported that business was excellent.

At 3 P.M. yesterday, the Paramount set a new all-time attendance record with 13,758 admissions at that hour. "Gulliver's Travels," in its first week at the Paramount, with Glen Gray's band, Jimmy Savo and the Merry Macs on the stage, grossed an estimated $50,000 for the week and is held over.

Another big gross was turned in at the Rivoli where "The Light That Failed" took an estimated $25,000 for the three weekend days. At the Music Hall, "Balalaika" with a stage show drew an estimated $63,000 over the weekend and will probably finish its second week which ends tonight with $105,000.

"Four Wives" at the Strand, with Abe Lyman's band, grossed an esti-

(*Continued on page 12*)

Phone Calls Launch Sears Drive in U. S.

At 7:30 A. M. yesterday every Warner branch manager and district manager in the country and Roy Haines and Ben Kalmenson, the company's Eastern and Western sales managers, respectively, was awakened at home by telephone. Cheery-voiced operators delivered the following message:

"Good morning, wake up—the Sears Drive has started!"

The sales drive, which begins this week with the release of "Four Wives," continues for 16 weeks through April 13.

Para. in 5-Year Ad Accessories Deal

Advertising Accessories, Inc., a subsidiary of National Screen Service, will produce and distribute the majority of Paramount's advertising accessories under a five-year contract just signed by the two, Paramount announced yesterday. The deal has been in work for many months.

The contract, which becomes effective Feb. 1, 1940 also renews the distributing agreement for Paramount trailers by National Screen Service. Paramount will produce its own trailers, utilizing its studio facilities, and will continue to produce its own newspaper mats and press books.

Don Velde, head of Paramount's ad sales department, and a majority of the personnel of the department, will be absorbed by Advertising Accessories, Inc. The latter will extend its distributing service to all exchange centers.

Advertising Accessories, which is headed by Charles Casanave, is negotiating with other large distributors for the handling of their ad sales work.

National Board Calls 'Nazi Spy' 1939 Best

The National Board of Review of Motion Pictures has selected "Confessions of a Nazi Spy" as the best film of the year ending Dec. 15 from any country, and the best English language film. "Port of Shadows," French film, was selected as the best foreign language picture.

The 10 best English language films, in order of preference, are: "Confessions of a Nazi Spy," "Wuthering Heights," "Stage Coach," "Ninotchka," "Young Mr. Lincoln," "Crisis," "Goodbye, Mr. Chips," "Mr. Smith Goes to Washington," "The Roaring Twenties," "U-Boat 29."

The five leading foreign language films are: "Port of Shadows," "Harvest," "Alexander Nevsky," "The End of a Day," "Robert Koch."

Lantz Is Planning Cartoon Feature

Walter Lantz, animated cartoon producer for Universal, arrived yesterday to negotiate on a color cartoon feature he is planning to produce independently.

For his first feature length cartoon, Lanz is considering "Jack, the Giant Killer," "Pandora's Box" and "The Old Woman Who Lived in a Shoe," the rights to all of which he has obtained. He also will confer with newspaper syndicates for the release of his "Andy Panda" character in comic strip form.

W.B. at Cleveland Wins Safety Prize

CLEVELAND, Dec. 26.—The local Warner Bros. exchange has won the group certificate of safety merit awarded by the Industrial Commission of Ohio for the best record in the Greater Cleveland no-accident campaign.

The Warner Exchange had fewer accidents than any other film exchange, poster and premium offices, etc. The certificate was awarded to H. J. Ochs, branch manager, at the annual Safety Council banquet.

Purely Personal

WILLIAM F. RODGERS, HOWARD DIETZ, JOHN HICKS, GEORGE WELTNER, CHARLES CASANAVE, SAM SHAIN, TED O'SHEA, MAX A. COHEN, WILLIAM HEBERT, TOM CONNORS, JR., GEORGE SKOURAS, CHARLES E. MCCARTHY, MORRIS KINZLER, BEN BLUMENTHAL, LEON NETTER, AUSTIN KEOUGH, SIDNEY PHILLIPS, TOM ROBINSON and OWEN DAVIS, JR., at Nick's Hunting Room in the Astor for lunch yesterday.

•

BARNEY ROSS, M-G-M office manager in Charlotte; MANNY WORONOW, Buffalo salesman, and ARTHUR HORN, Albany salesman, are visiting here.

•

DON AMECHE is due here today from the Coast, accompanied by MRS. AMECHE, GEORGE FRANK, his manager, and MRS. FRANK.

•

JOSEPH J. OULAHAN, manager of the Paramount exchange in Cincinnati, and MRS. OULAHAN are in Washington on vacation.

•

JOHN S. ALLEN, salesman at M-G-M's Cincinnati branch, is spending the holidays in Waycross, Ga., with MRS. ALLEN.

•

WILLIAM SUSSMAN, 20th Century-Fox Eastern division manager, and MRS. SUSSMAN leave Friday for three weeks in Miami.

•

J. CHEEVER COWDIN, Universal board chairman, is due back from the Coast at the end of the week.

•

ESTELLE TAYLOR is making a two-week appearance as a singer on the Walton Roof in Philadelphia.

•

DONALD BUDGE, tennis professional, was a visitor at the Loew home office yesterday.

•

O. C. DOERING, JR., of counsel to the RKO trustee, is confined to his home with a cold.

•

PAUL O'BRIEN of the O'Brien, Driscoll & Raftery law firm is in Chicago on business.

•

STANLEY C. JACQUES, manager of the RKO branch in Cincinnati, and MRS. JACQUES are in California.

•

RUFUS LEMAIRE is in town from the Coast.

•

W. RAY JOHNSTON, Monogram president, is back from the Coast.

MR. AND MRS. CHARLES STERN (he is Eastern district manager for United Artists) celebrate their 25th wedding anniversary today.

•

ELMER SICHEL, assistant booker at the 20th Century-Fox exchange in Albany, leaves Friday with MRS. SICHEL for three weeks at Miami.

•

DAVID WARNER, agent, is in town from Hollywood visiting his family, MR. and MRS. EDWARD BIDDLE WARNER.

•

CLARENCE ROBSON, eastern general manager of Famous Players Canadian Corp., has returned to his post after an illness of five months.

•

ADOLPH ZUKOR is back in Hollywood from Havana to spend a week before leaving Jan. 2 on a tour of South America.

•

MRS. JEAN BELLO, mother of the late JEAN HARLOW, is spending the holidays in Cincinnati.

•

FRANCHOT TONE flies here from Miami today to begin rehearsals on a play.

•

ALLAN S. MORITZ, manager of Columbia's Cincinnati branch, and MRS. MORITZ are in Florida for the holidays.

•

HAROLD B. FRANKLIN has arrived in Hollywood for an indefinite stay.

Wanger Film Opens In Florida Tonight

MIAMI, Dec. 26.—"Strictly Dishonorable," Walter Wanger production released through United Artists, will have its world premiere tomorrow at the Lincoln, Miami Beach.

Ruth Terry, who was discovered singing here several years ago and stars in the film, will make a personal appearance.

Union Trial on Today

ST. LOUIS, Dec. 26.—Trial of the suit to determine whether permanent receivers should be appointed to conduct the local operators' union will be resumed tomorrow in the Circuit Court here.

Exhibitors Protest Nova Scotia Edict

HALIFAX, N. S., Dec. 26.—The Allied Exhibitors have submitted a formal protest to the Provincial Government against two clauses of new regulations just issued by the Provincial censor board.

These are a regulation which allows the arrest and jailing without a warrant of any exhibitor or theatre manager for violation of any of the regulations, and inclusion of legislation which has not been proclaimed by the Provincial Government, and which assigns the censor board as regulator of the movement of film from the exchanges, with heavy penalties for violations of drastic changes in film distribution.

Dies Report to Bare Reds in Hollywood

(*Continued from page* 1)

ied the activities of hundreds of film personalities, but found comparatively few actually affiliated with the Communist Party. Many who contributed to various "causes" never knew their money was going to the Communists, it was indicated.

Dies plans to take testimony on the Coast situation if his committee's lease on life is extended beyond Jan. 3 by Congress.

Drop Itinerants' Fee

TORONTO, Dec. 26.—The Canadian Performing Rights Society has decided to discontinue its proposal to collect the annual fee from itinerant exhibitors, starting Jan. 1. Other theatre and radio license charges, however, will continue unchanged.

Denham Production Resumes in 60 Days

HOLLYWOOD, Dec. 26.—Herbert Wilcox said today he plans to return to England in February to resume production at Denham.

Anna Neagle will return with Wilcox and will be starred in his next production there. His departure is dependent upon final editing of "Irene," which he is producing for RKO release.

David Rose will leave here next week en route to England to resume production there for Paramount. He is here making preparations and casting for five pictures which the company will make abroad.

Ben Goetz and Robert Montgomery left for New York today en route to England to resume work there for M-G-M on "Busman's Holiday," production of which was interrupted by the outbreak of war. They will also make "I Had a Comrade," an anti-Nazi story by Viscount Castelrosse.

306 Elects Today, Cites Wage Gains

(*Continued from page* 1)

Operators Union or United Theatrical and M. P. Workers of America.

Basson declared that there was no hope for further negotiations with Empire, and that the only method of obtaining 306 contracts in all New York houses would be to oust Empire and United. During the past two years, 39 houses have been added to the local's roster.

After pointing out that the strike in March, which was intended to compel exhibitors to employ 306 men only, had failed because of the intervention of Assistant Attorney General Thurman Arnold, Basson declared that he is still working on a lawful plan to bring about complete organization of all New York theatres.

Unemployment is being decreased by the cooperation of the city in limiting licenses to prospective operators, Basson said.

Charles Zears Dies

OKLAHOMA CITY, Dec. 26.—Charles R. Zears, 43, of Hunter, Okla., for more than 15 years secretary of the Film Board of Trade here, died in University Hospital after a three-year illness.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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LOUDER THAN EVER!

(Turn please)

To "The Women"
To "Thunder Afloat"
To "Babes in Arms"
To "Another Thin Man"
To "Ninotchka"
To "Judge Hardy & Son"
To "Balalaika"



HATS OFF!

It's really a great achievement and we're proud of it. Above are just a few out of the remarkable parade of hits delivered by M-G-M in the first few months of the 1939-40 season. The pace is terrific! Can M-G-M keep it up? Look!

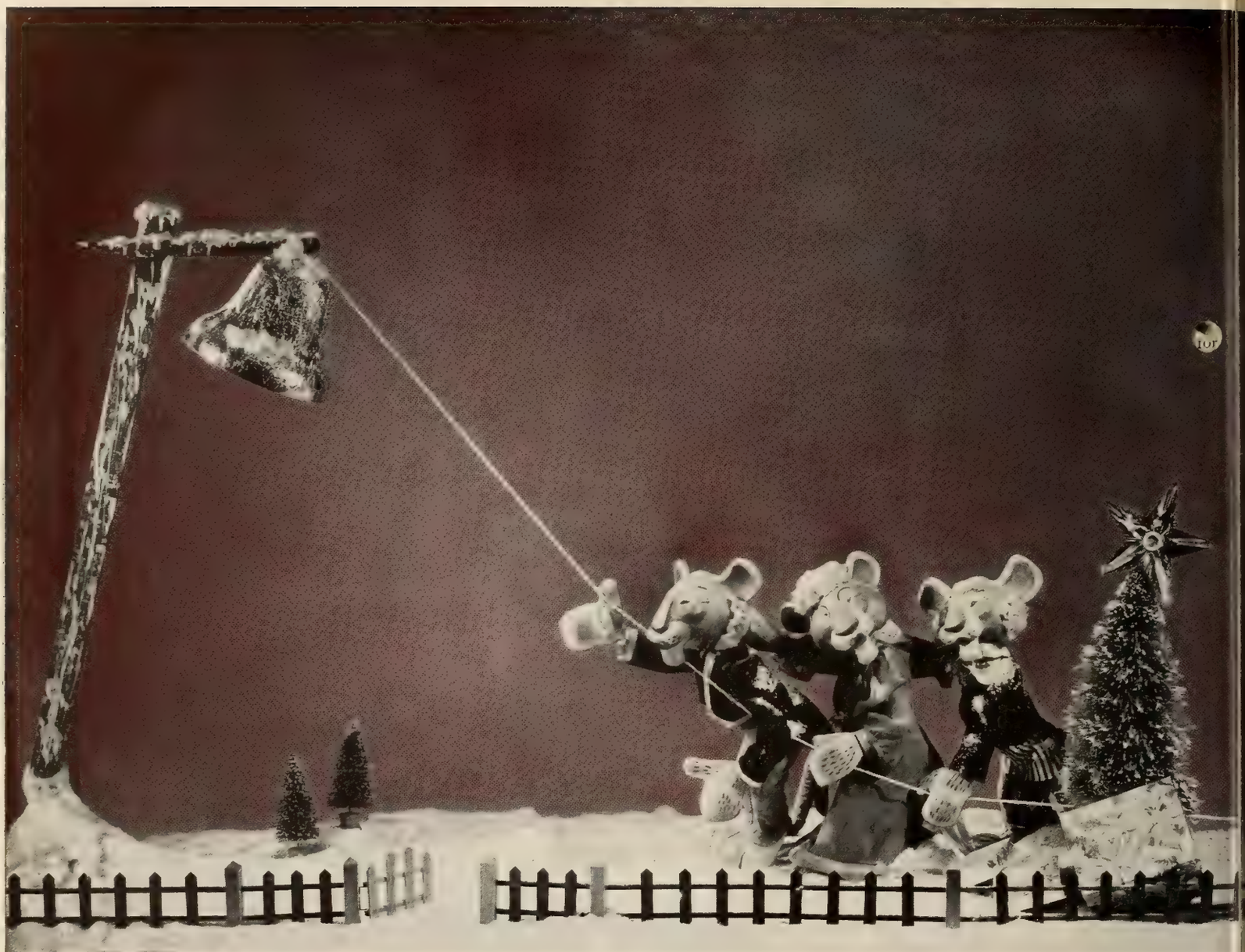


BEAT THE DRUM

See what's coming!

JUDGE HARDY AND SON Lewis Stone, Mickey Rooney. BALALAIKA Nelson Eddy, Ilona Massey. THE EARL OF CHICAGO Robert Montgomery, Edward Arnold. CONGO MAISIE Ann Sothern, John Carroll. THE SHOP AROUND THE CORNER Margaret Sullavan, James Stewart. BROADWAY MELODY OF 1940 Fred Astaire, Eleanor Powell. NORTHWEST PASSAGE in Technicolor, Spencer Tracy. AROUSE AND BEWARE Wallace Beery, Dolores Del Rio, John Howard. STRANGE CARGO Clark Gable, Joan Crawford, Peter Lorre. I TAKE THIS WOMAN Spencer Tracy, Hedy Lamarr. NEW MOON Jeanette MacDonald, Nelson Eddy. YOUNG TOM EDISON Mickey Rooney, Fay Bainter, Virginia Weidler. FORTY LITTLE MOTHERS Eddie Cantor. SUSAN AND GOD Fredric March, Greer Garson... NEW HARDY PICTURE... NEW KILDARE PICTURE... GO WEST The Marx Brothers. I LOVE YOU AGAIN William Powell, Myrna Loy. WATERLOO BRIDGE Vivien Leigh... THE YEARLING... GOOD NEWS Mickey Rooney, Judy Garland, June Preisser, Douglas McPhail. TWENTY MULE TEAM Wallace Beery. NEW TARZAN Johnny Weissmuller, Maureen O'Sullivan. BOOM TOWN Clark Gable. NEW THIN MAN William Powell, Myrna Loy. TONIGHT AT 8:30 Norma Shearer. SMILIN' THROUGH Jeanette MacDonald. HELL CATS Robert Taylor. ZIEGFELD GIRL Margaret Sullavan, Hedy Lamarr, Lana Turner... ESCAPE ...I MARRIED AN ANGEL Jeanette MacDonald, Nelson Eddy. **THE FRIENDLY COMPANY!**

(next page, please)



"From our family to yours, happy holiday, good cheer all year!"

FRIENDLY 1940!

'Destry' Hits Good $18,600 To Lead Loop

CHICAGO, Dec. 26.—"Destry Rides Again" topped everything in the Loop to give the Palace $18,600 gross. "Dr. Christian" was the companion picture. The weather was cold and unsettled. Estimated takings for the week ending Dec. 20-23:

"Mr. Smith Goes to Washington" (Col.)
APOLLO—(1,400) (25c-55c-75c) 7 days. 6th week. Gross: $5,600. (Average, $6,000)
"Day-Time Wife" (20th-Fox)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Harry James Band and Revue. Gross: $24,400. (Average, $32,000)
"Eternally Yours" (U. A.)
GARRICK—(900) (35c-40c-65c) 7 days. Gross: $3,800. (Average, $5,000)
"The Roaring Twenties" (W. B.)
ORIENTAL—(3,400) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $12,500. (Average $13,000)
"Destry Rides Again" (Univ.)
"Dr. Christian" (20th-Fox)
PALACE—(2,500) (35c-55c-75c) 7 days. Gross: $18,600. (Average, $12,000)
"Elizabeth and Essex" (W. B.)
ROOSEVELT — (1,300) (35c-55c-75c) 7 days. Gross: $9,000. (Average, $11,000)
"Dancing Coed" (M-G-M)
STATE-LAKE — (2,700) (25c-35c-40c) 7 days. Stage: Vaudeville Revue. Gross: $13,200. (Average, $12,000)
"Ninotchka" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 3rd week. Gross: $7,000. (Average, $14,000)

'Wind' Opens in 40 Key Cities Jan. 25

(*Continued from page* 1)

premiere, is reported as about $80,000. In Boston the sale for the two-a-day engagement at the State is $30,000, and for the reserved night performances at the Orpheum $20,000, according to M-G-M. The advance sale in Reading is reported as almost $20,000.

A change in price policy has been made at the RKO Capitol, Cincinnati. Beginning tomorrow all seats will be reserved for the evening performance, 1,000 at $1.10 and 1,000 at $1.50. Previously only loge seats at $1.50 were reserved evenings.

'Wind' Screened At White House

Washington, Dec. 26.—President Roosevelt and members of his family tonight saw "Gone With the Wind" at the White House.

Escape Theatre in Fire

When fire in an adjoining poolroom threatened the Lido Theatre, 265 Court St., Brooklyn, late yesterday afternoon, policemen entered the theatre and escorted several hundred patrons out. Five minutes after the last person had left, an explosion in the poolroom caused a portion of the theatre roof to collapse.

Siegel to New York

HOLLYWOOD, Dec. 26.—M. J. Siegel trained out tonight for his semi-annual visit to New York. He will be gone for about a month. E. H. Goldstein will be in charge of Republic until his return.

Hollywood Reviews

"Of Mice and Men"

(Roach-United Artists)

HOLLYWOOD, Dec. 26.—A calm, faithful transcription to the screen of the lives of the frustrated people John Steinbeck put in his book, Hal Roach's production, "Of Mice and Men," is a well knit example of cinema artistry in all departments. It has been brought to the screen by Lewis Milestone, given production and direction credit, without much of the crassness, the boldness, the smut and the ribaldry of its previous forms—novel and play, yet with the same telling effects.

Sedentary in plot, the story is of two "bindle-stiffs," one inhumanly strong person with an imbecilic mind and the other a dreamer, who thinks for both of them. Both, while working as migratory laborers on California ranches, dream of having their own ranch one day, an idea which leads them to tragedy.

Each of the cast presents an unheroic characterization. Burgess Meredith is the dreamer, in his best screen work since his debut role in "Winterset," some years back. Lon Chaney, Jr., is the half-wit hulk; Betty Field, a comparative newcomer, is the rancher's wife whose fright causes her death. Charles Bickford, as the "mule-skinner;" Roman Bohnen, as "Candy," the one-handed worker; Bob Steele, as the rancher's son whose wife causes the final trouble; Noah Beery, Jr., Granville Bates, Oscar O'Shea, and Leigh Whipper, as the ranch hands, portray unlovely people realistically.

Adult entertainment as were the book and the play, "Of Mice and Men" can be classed as a picture for selected audiences. The climax is achieved through a cold blooded murder, the murderer, however convinced he may be right in committing the crime, being given over to the police.

Steinbeck wrote of unhappy people, and the screenplay by Eugene Solow gives the able actors ample opportunities to portray unhappy people. It is not a pleasant story they enact; it is a segment of life that moviegoers seeking entertainment might rather forget.

Of its production, which is credited to Roach, Milestone and Associate Producer Frank Ross; of its screenplay, of its direction, and of its enactment, there can be much said in the way of praise, but of its effect on the audience and of the box-office values, there remain questions for the individual exhibitor to answer for himself.

Running time, 104 minutes. "A."* VANCE KING

**"A" denotes adult classification.*

"Money to Burn"

(Republic)

HOLLYWOOD, Dec. 26.—Republic has 65 minutes of solid family entertainment in "Money to Burn," judging from enthusiastic preview reactions to the picture which details further the adventures of the Higgins Family, principal roles being enacted by James, Lucile and Russell Gleason. This time, "Mrs. Higgins" gets the contest craze, hoping to win $50,000 so that her husband can retire. Confident of winning, she causes her husband to lose his job in the advertising agency handling the contest, but a neighbor wins.

The Gleasons are aided in their family characterizations by Harry Davenport, as the grandfather; Lois Ranson, as the daughter, and Tommy Ryan, as another son. Others in the cast are Thurston Hall, Winifred Harris, Douglas Meins, Lucien Littlefield, Herbert Rawlinson, Jack Rice, Andrew Tombes, Gladys Blake, Jean Fenwick.

Gus Meins did double duty as associate producer and director to extract the most comedy from the story. Jack Townley, in adapting his and Taylor Caven's original story, turned out an appropriate job.

Running time, 65 minutes. "G."* VANCE KING

**"G" denotes general classification.*

Musicians Elect

RICHMOND, Dec. 26.—The annual election of officers of the Richmond Musicians' Association resulted in Frank Cowardin's reelection as president. Other officers are: Marshall Rotella, vice-president; Carl Wallnaun, secretary; Burt Asbury, treasurer; directors, Nathan Oppleman, William Henry, Jake Kaufman, Randolph Robinson, Gordon Smith, Claude Elam and J. R. Boykin.

Opening French Film

"SOS Mediterranean," a French drama starring Pierre Fresnay, will open an indefinite run at the Cameo Sunday. The film, with English titles, is released here by Vedis Films.

Sulzbacher Dies

MONTGOMERY, Ala., Dec. 26.—Samuel Sulzbacher, 66, Montgomery theatre operator and business man for the last 40 years, died at his residence.

39 Pictures Now Occupy Coast Studios

HOLLYWOOD, Dec. 26.—Thirty-nine pictures were before the cameras this week, as six finished and four started. Fifteen are being prepared and 69 are being edited.

The tally by studios:

COLUMBIA—In Work: "Five Little Peppers at Home," "Blondie on a Budget," "Texas Express," "Too Many Husbands."
GOLDWYN—In Work: "The Westerner."
MONOGRAM — In Work: "Chasing Trouble," "Pioneer Days."
PARAMOUNT—Finished: "Buck Benny Rides Again," "The Way of All Flesh."
In Work: "Safari," "Golden Gloves," "Down Went McGinty," "Hold Your Horses."
PRODUCERS PICTURES — Finished: "Sagebrush Family Trails West."
Started: "Swift Justice," "Sagebrush Family Rides On."
RKO—In Work: "The Primrose Path," "Irene," "Little Orvie," "Millionaire Playboy," "Bill of Divorcement," "My Favorite Wife."
REPUBLIC — Finished: "Wolf of New York."
In Work: "Dark Command," "Village Barn Dance."
ROACH—Finished: "1,000,000 B. C."
SMALL—In Work: "My Son, My Son."
20TH CENTURY-FOX—Finished: "Shooting High."
In Work: "Dance with the Devil," "Hotel for Women No. 2."
Started: "I Was an Adventuress."
UNIVERSAL—In Work: "My Little Chickadee," "The Devil Is Yellow," "Rigadoon."
WARNERS—In Work: "Virginia City," "We Shall Meet Again," "And It All Came True."
Started: "And It All Came True."

'Tower' Cincinnati Leader at $5,400

CINCINNATI, Dec. 26.—"Tower of London," with $5,400 at the RKO Lyric, was the only picture to go above average in the traditional pre-Christmas week slump.

Estimated takings for the week ending Dec. 20-23:

"The Housekeeper's Daughter" (U. A.)
RKO ALBEE—(3,300) (35c-42c) 7 days. Gross: $9,000. (Average, $12,000)
"Remember?" (M-G-M)
RKO PALACE—(2,700) (35c-42c) 7 days. Gross: $6,600. (Average, $10,000)
"We Are Not Alone" (F. N.)
RKO SHUBERT—(2,150) (35c-42c) 7 days. Gross: $4,800. (Average, $10,000)
"Another Thin Man" (M-G-M)
RKO CAPITOL—(2,150) (35c-42c) 7 days, 2nd week. Gross: $4,900. (Average, $6,500)
"Tower of London" (Univ.)
RKO CAPITOL—(2,000) (25c-40c) 7 days. Gross: $5,400. (Average, $5,000)
"Mutiny in the Big House" (Mono.)
"Kid Nightingale" (W. B.)
RKO FAMILY—(1,000) (15c-25c) 5 days. Gross: $1,500. (Average, 4 days, $1,500)
"Call a Messenger" (Univ.)
"Laugh It Off" (Univ.)
RKO FAMILY—(1,000) (15c-25c) 3 days. Gross: $650. (Average, $900)
"Joe and Ethel Turp Call on the President" (M-G-M)
KEITH'S — (1,500) (30c-40c) 7 days. Gross: $3,100. (Average, $6,000)

Operating Problem Is Told in Trailers

(*Continued from page* 1)

trolled by Paramount, controls the rest of the product.

In his screen statement, Greene places the responsibility directly on the shoulders of his competitors. He gives the exact cost of operating his theatre, shows what proportion of the box-office receipts are spent locally, tells the public that without its active support, he cannot keep his 4,300 seat house open indefinitely.

Majors Attack U.S. Trust Suit Tactics

(*Continued from page* 1)

factor in delaying progress toward trial of the suit was the filing by the Government of its extensive interrogatories in a form so comprehensive and complex that two years might have been consumed in answering them had not the Government itself subsequently agreed to simplify and shorten its questionnaire. However, this agreement was reached only after several months of negotiations between Department of Justice officials and the defendants' attorneys.

The Government's resort to interrogatories also led to the serving of interrogatories on the Government by the defendants, it was pointed out.

Industry attorneys also recalled that considerable delay was encountered through the Government's opposition to furnishing the defendants with a bill of particulars; that this was done only after the Federal court so directed the Department, and that the Government's initial compliance with this court order proved to be unsatisfactory and a second court order was issued directing the Department to file a more detailed bill.

Defendants' counsel also point out that all steps taken in the case to date have been passed upon by the Federal court and not once has that court censured the defendants on their procedure or methods.

It was also stated that the case had been on the Federal court trial calender and might have been reached by March but that it was removed from the calendar only by agreement with the Government. It was by agreement with the Government, too, that the case subsequently was set for trial "not earlier than May 1."

Attorneys scoffed at reports of a settlement, pointing out that such reports always originate in Washington. They challenged Department of Justice officials to name one responsible industry figure known to have asserted that the suit "would never come to trial."

They declared that they are bending every effort to prepare for trial of the case and asserted that there is not one theatre operating defendant which would even discuss a consent decree or other "settlement" of the case on the basis of the Government's terms of voluntary divorcement of theatre operations and abandonment of block booking. It was also stated that no defendant would discuss a "settlement" which involved a consent decree—an admission of wrongful practices.

"All defendants are confident that they will fare much better by trial of the suit than by entering into a consent decree on the Government's terms," one attorney stated.

Star Ill; Film Halted

HOLLYWOOD, Dec. 26.—With Claire Trevor dangerously ill with a streptococcus infection and threatened with pneumonia, Republic today postponed for a minimum of two weeks the shooting of "The Dark Command."

New MacEwen Contract

HOLLYWOOD, Dec. 26.—Walter MacEwen, assistant for the last five years to Hal B. Wallis, Warner executive producer, has been given a new contract.

Mary Martin Given Lead in Benny-Allen Production

HOLLYWOOD, Dec. 26.—MARY MARTIN will play the feminine lead in Paramount's JACK BENNY-FRED ALLEN vehicle, for which ZION MYERS is doing the screenplay. . . . SOL LESSER has been elected to the board of directors of the Los Angeles Chamber of Commerce. . . . ARTHUR HORNBLOW, JR., is negotiating with the Mexican Government for permission to film some of the scenes for Paramount's "The Golden Door" below the border. . . . SAM WOOD is conducting a talent hunt for "Our Town," which he will direct for SOL LESSER. . . . BONITA GRANVILLE in M-G-M's "Forty Little Mothers," EDDIE CANTOR picture. . . . Warners has sold its entire new season program to the Whitson-Lewis circuit, operating five houses in Los Angeles outskirts.

PAUL JONES draws the production reins on Paramount's "The Man in Half Moon Street," BARRE LYNDON play of a mad, murdering scientist. . . . Added to the cast of the LARRY DARMOUR-Columbia production, "Passport to Alcatraz," starring JACK HOLT, are: C. HENRY GORDON, MAXIE ROSENBLOOM, IVAN LEBEDEFF and BEN WELDON. . . . MARCIA MAE JONES, JACKIE MORAN and MARTIN SPELLMAN have been given the leads in Monogram's "Rip Van Winkle." . . . MARJORIE REYNOLDS and MILBURN STONE will support FRANKIE DARRO in Monogram's "Chasing Trouble." HOWARD BRETHERTON directs.

TIM WHELAN, American film writer and director who recently returned after five years in England, has been signed by Paramount to guide "Destiny," GEORGE ARTHUR production which will star BASIL RATHBONE. . . . FRANK WOODRUFF, radio director and producer, has been signed by RKO and will direct "Curtain Call," HOWARD BENEDICT's first production on the lot. . . . M-G-M has given FRANK BORZAGE a contract extension. . . . RICHARD THORPE will direct "20 Mule Team," M-G-M. . . . FRANK MORGAN gets the principal role in that studio's "Hooray! I'm Alive," which AL LEVOY will produce. . . . BETTE DAVIS is scheduled to report back to Warners Jan. 2 for "All This and Heaven Too."

Warners' "Married, Pretty and Poor" went before the cameras this week without a leading woman. JANE BRYAN is reportedly under suspension for refusing the role, which Warners had previous difficulty in casting. JAMES STEWART turned down the male lead, and it now rests in JOHN GARFIELD'S hands. . . . HENRY ARMETTA and FERIKE BOROS have been set for Warners' "Three Cheers for the Irish." . . . BEN JUDELL of Producers Pictures Corp. has six writers currently working on western scripts, scheduled for production at the Prescott, Ariz., studio of the company. BETTY BEECHER is working on "The Man from Oklahoma," JOSEPH O'DONNELL, the screenplay for the second TIM MCCOY picture, "Swift Justice;" TOM GIBSON, on "Frontier Justice;" WILLIAM LIVELY, "The Sagebrush Family Rides On;" FRANK DUNLAP, "Lone Wolf Rider," and JOSEPH CHENEY, "The Sagebrush Family Stakes a Claim."

CHARLES RUGGLES' dogs have won most of the obedience tests in which they have been entered. . . . AL ROGELL, who started collecting medical books and pamphlets of importance two months ago, now has a library equal to the best found in the home of most doctors. . . . CLAUDE BINYON has turned down offers of three national magazines to write stories on Hollywood. . . . JOSEPH SCHILDKRAUT's heaviest fan mail from the Near and Far East results soon after his portrayal of the Hindu priest in "The Rains Came." . . . SAM WOOD is negotiating for services of MARTHA SCOTT, now in the New York stage play "Foreigners," for a role in "Our Town," Lesser production for United Artists.

CLARENCE BROWN has postponed start of "Edison, the Man," because SPENCER TRACY is needed for retakes of "I Take This Woman," at M-G-M. . . . E. H. Griffith obtained three zebras from the Pomona zoo for background shots in Paramount's "Safari." . . . WESLEY RUGGLES has approved miniatures of the 16 different sets to be used in his "Too Many Husbands," for Columbia. . . . ANDREW L. STONE has been playing host of MR. and MRS. JOSEPH LITTLETREE, wealthy Cherokee Indian oil well owners, friends of his since years ago when he invented an automatic camera used in directional oil drilling. . . . CLAIRE M. LANG, New York stylist, is in town to prepare for series of fashion shorts to be filmed in Cosmocolor at Grand National. WILL JASON will direct the first of the series from stories written by ARTHUR HOERL. . . . EDDIE SUTHERLAND has received as a Christmas gift from abroad a part of the tail surface of a Nazi plane shot down over England. . . . WILLIAM DIETERLE's contemplated vacation has been cut to two weeks because Warners wants him to direct a new picture immediately after the New York visit. . . . Included in JOSEPH SCHILDKRAUT's fast growing collection of photograph recordings are several made for him by AMELITA GALLI-CURCI, GERALDINE FARRAR and GIOVANNI MARTINELLI.

Pennsylvania ITO To Meet on Jan. 9

PHILADELPHIA, Dec. 26.—Allied Independent Theatre Owners of Eastern Pennsylvania, Inc., will hold its second annual meeting on Jan. 9 at the Broadwood Hotel here, with Morris Wax as chairman.

It will be a one-day session, including annual reports, election of governors and a discussion of plans for 1940. A guest speaker for the afternoon session has not yet been selected. Sidney E. Samuelson is business manager of the organization.

Retitle Wallace Film

HOLLYWOOD, Dec. 26.—Monogram has changed the title of the Edgar Wallace film from "Four Just Men" to "The Secret Four."

Those Titles

Hollywood, Dec. 26.—Walter Wanger and his publicity director, John LeRoy Johnston, swear that "Send Another Coffin" will not have a title change from its latest name—"Slightly Honorable." After skipping from the "Send Another Coffin" cognomen, to "City for Sale," and "Ladies Know Too Much," it was shifted back to "Send Another Coffin."

Warners announce the change of the title of "The Life of Dr. Ehrlich" to "Magic Bullets." The picture previously had run a gamut of title shifts, from "606" to "Test No. 606" and "The Story of Dr. Ehrlich."

Legion Approves 11 Of 12 New Pictures

The National Legion of Decency has approved 11 of the 12 films reviewed for the current week. Eight pictures have been classified as unobjectionable for general patronage, three as unobjectionable for adults and one objectionable in part. The new films and their classifications follow:

Class A-1, Unobjectionable for General Patronage: "Days of Jesse James," "High School," "Irish Luck," "Judge Hardy and Son," "Money to Burn," "Nobleza de la Calle," "Pioneers of the Frontier," "Two-Fisted Rangers." Class A-2, Unobjectionable for Adults: "Married and in Love," "Remember the Night," "Thou Shalt Not Kill." Class B, Objectionable in Part: "The Light That Failed."

Lew Nathan, Para. Photographer, Dies

Lew S. Nathan, 46, for many years Paramount home office official photographer, died Monday night at Yonkers General Hospital, Yonkers, where he was taken after being suddenly taken ill at his home. Death is believed to have resulted from a heart attack. Nathan was with Paramount about 20 years.

Funeral services will be held at 11 o'clock today at the home, 17 Bayley Ave., Yonkers, with burial at Mt. Hope Cemetery in that city.

Survivors include the widow, Mrs. Bertha Nathan; three daughters, Priscilla, Julia and Sally; three sisters and a brother.

British Carbon Cost Will Be Raised 10%

LONDON, Dec. 26.—British carbon manufacturers today informed the Cinematograph Exhibitors Association that they are forming an emergency pool.

As part of the new plan, rationing of their product will be put into effect and prices immediately will be increased 10 per cent.

Writer Sues Paramount

HOLLYWOOD, Dec. 26.—Adele Buffington, film writer, today filed a $100,000 damage suit against Paramount, charging the studio plagiarized her story, "Black Blizzard" in the film, "Honeymoon in Bali."



EVERYTHING HAPPENS AT NIGHT



Top of the town in pre-Christmas engagements!

Topping the records of Sonja Henie's recent hits in the year-end upsurge!

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

'Destry' Pulls Boston Lead With $19,000

BOSTON, Dec. 26.—"Destry Rides Again" at the Keith Memorial drew $19,000.

Estimated takings for the week ending Dec. 20:

"Destry Rides Again" (Univ.)
"Laugh it Off" (Univ.)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days. Gross: $19,000. (Average, $14,500)
"Eternally Yours" (U. A.)
"Blondie Brings Up Baby" (Col.)
LOEW'S STATE—(3,600) (25c-35c-40c-55c) 7 days. Gross: $9,300. Average, ($11,000)
"Eternally Yours" (U. A.)
"Blondie Brings Up Baby" (Col.)
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 7 days. Gross: $13,000. (Average, $14,500)
"Elizabeth and Essex" (W. B.)
"Private Detective" (W. B.)
METROPOLITAN — (4,332) (25c-35c-40c-55c) 7 days, 2nd run. Gross: $11,800. (Average, $14,500)
"Return of Dr. X" (W. B.)
"Llano Kid" (Para.)
PARAMOUNT — (1,797) (25c-35c-40c-55c) 7 days. Gross: $7,600. (Average, $7,000)
"Return of Dr. X" (W. B.)
"Llano Kid" (Para.)
FENWAY — (1,392) (25c-35c-40c-55c) 7 days. Gross: $4,300. (Average, $5,000)
"We Are Not Alone" (W. B.)
"The Real Glory" (Para.)
SCOLLAY — (2,500) (25c-35c-40c-50c) 7 days, 2nd run. Gross: $4,500. (Average, $4,500)
"Scandal Sheet" (Col.) 4 days
"If I Had A Million" (Para.) 4 days
"Legion of Lost Flyers" (Univ.) 3 days
"Rio" (Univ.) 3 days
KEITH BOSTON—(3,200) (25c-35c-40c-50c). Gross: $7,900. (Average, $9,000)

St. Louis Suffers In Christmas Lull

ST. LOUIS, Dec. 26.—Pre-Christmas business was off here generally.

Estimated takings for the week ending Dec. 21:

"Intermezzo" (U. A.)
"Blackmail" (M-G-M)
LOEW'S STATE—(3,162) (25c-40c-55c) 7 days. Gross: $7,800. (Average, $13,000)
"Jamaica Inn" (Para.)
"Night of Nights" (W. B.)
AMBASSADOR—(3,018) (25c-40c-55c) 7 days. Gross: $7,000. (Average, $11,500)
"Tower of London" (Univ.)
"Cisco Kid" (20th-Fox)
FOX—(5,038) (25c-40c-55c) 7 days. Gross: $7,300. (Average, $11,000)
"That's Right, You're Wrong" (RKO)
"Barricade" (20th-Fox)
MISSOURI—(3,514) (25c-40c-55c) 7 days. Gross: $3,400. (Average, $4,000)

Christmas Shopping Hurts Kansas City

KANSAS CITY, Dec. 26.—In the week before Xmas first runs did very poorly, with shopping the biggest competition.

Estimated takings for the week ending Dec. 17-21:

"Tower of London" (Univ.) 5 days
"Barricade" (20th-Fox) 4 days
ESQUIRE—(800) (25c-40c) 5 and 4 days. Gross: $2,100. (Average, 9 days, $3,200)
"Intermezzo" (U. A.)
"Remember?" (M-G-M)
MIDLAND—(4,000) (25c-40c) 7 days. Gross: $6,500. (Average, $10,500)
"A Child Is Born" (W. B.)
NEWMAN—(1,900 (25c-40c) 7 days, 2nd week. Gross: $4,000. (Average, $7,000)
"We Are Not Alone" (W. B.)
"Pride of the Blue Grass" (W. B.)
ORPHEUM—(1,500) (25c-40c) 7 days. Gross: $4,600. (Average, $5,000)
"Way Down South" (RKO)
TOWER—(2,200) (25c) 7 days. Stage: Donald Novis, Jans, Lynton & Dean, Joan Spaulding. Gross: $5,000. (Average, $5,000)
"Tower of London" (Univ.)
"Barricade" (20th-Fox)
UPTOWN—(2,000) (2c-40c) 5 and 4 days. Gross: $2,900. (Average, 9 days, $4,500)

Feature Reviews

"Swanee River"

(20th Century-Fox)

HOLLYWOOD, Dec. 26.—What the songs of Irving Berlin were to "Alexander's Ragtime Band" the songs of Stephen Foster are to "Swanee River." The Foster songs are the more deeply ingrained in the experience of the population and the picture fabricated for their presentation is a more elaborate and expensive production, a thoughtful picturization of the life of Foster photographed in color.

Don Ameche, the pianist in "Alexander," is the Foster of "Swanee River," again a pianist and this time also a composer. Al Jolson is recurrently the mainspring of audience interest as the minstrel man who introduced the Foster songs from the stage, a most brilliantly costumed minstrel man who seems to have sung them in much the same manner used by the real Jolson with great success half a century later, a probably inaccurate but highly beneficial circumstance. Andrea Leeds plays the ill-starred composer's wife extremely well, while Felix Bressart, Chick Chandler, Russell Hicks, George Reed and others supply appropriate support.

Produced by competent Kenneth Macgowan with a respectful eye upon history and a keener one upon screen effectiveness, the film picks up Foster as a dreamy Yankee in the South, fascinated by its melodies and one of its daughters. She encourages him to write down the music he loves and he begins his conquest of fame and wealth. Jolson is at the height of his minstrel glory and affords Foster an outlet. Wealth comes, Foster marries, a child is born, then his addiction to drink brings him to ruin and death. Incidents intervening are represented as inspiring him to write "My Old Kentucky Home," "Oh, Suzanna," "Old Black Joe," "Swanee River" and the other Foster classics.

Although early portions of the picture, devoted to establishing time, place, identity and motives, generate interest slowly, the picture lays tight hold upon its audience in the "Old Black Joe" episode and retains this grip until the end.

Running time, 84 minutes. "G."* ROSCOE WILLIAMS

**"G" denotes general classification.*

"Last Desire"

(Transatlantic Distributors)

Here is a story of the hopeless love of an old and lonely man for a strange girl whom he befriends in the streets, and the jealousy which eats into him until, in cold deliberation, he strangles her.

Produced by Lumen Films in Paris under the direction of Jeff Musso, and adapted by Liam O'Flaherty from his own novel, "Mr. Gilhooley," the French film is definitely an adult attraction. In the first place, the theme and plot development itself is one of tragedy and disillusionment. Secondly, every apparent attempt has been made to infuse as much "sex" as possible into the picture's incidents.

The leading role is taken by Raimu, one of France's leading actors. His expression of emotional reaction is an impressive example of fine acting. The girl is played by Jacqueline Delubac in competent fashion. The shiftless young man whose attention so enrages Raimu is ably portrayed by Pierre Brasseur.

It is a special type of attraction, not for general audiences. English substitles provide for ready understanding of the story.

Running time, 80 minutes. "A."* CHARLES S. AARONSON

**"A" denotes adult classification.*

Holiday Doldrums Strike New Haven

NEW HAVEN, Dec. 26.—The usual pre-Christmas doldrums brought grosses down. "Day-Time Wife" and "Barricade" at the Loew-Poli took $7,200.

Estimated takings for the week ending Dec. 22:

"The Housekeeper's Daughter" (U. A.)
"Full Confession" (RKO)
COLLEGE—(1,499) (35c-50c) 7 days, 2nd week. Gross: $2,600. (Average, $2,700)
"Day-Time Wife" (20th-Fox)
"Barricade" (20th-Fox)
LOEW-POLI—(3,040) (35c-50c) 7 days. Gross: $7,200. (Average, $8,000)
"Our Neighbors—the Carters" (Para.)
"The Llano Kid" (Para.)
PARAMOUNT—(2,348) (35c-50c) 7 days. Gross: $2,400. (Average, $4,000)
"Allegheny Uprising" (RKO)
"The Day the Bookies Wept" (RKO)
ROGER SHERMAN—(2,200) (35c-50c) 7 days. Gross: $3,600. (Average, $5,000)

'London' at $6,300 In Omaha's Slump

OMAHA, Dec. 26.—Pre-Christmas slump hit local theatres full force. "Tower of London" pulled $6,300 at the Omaha for the week's best.

"Return of Dr. X" (W. B.)
"Cafe Hostess" (Col.)
BRANDEIS—(1,200) (25c-35c-40c) 7 days. Gross: $3,200. (Average, $4,000)
"Tower of London" (Univ.)
"Laugh It Off" (Univ.)
OMAHA—(2,200) (25c-40c) 6 days. Gross: $6,300. (Average, $6,000)
"Barricade" (20th-Fox)
"Little Accident" (Univ.)
ORPHEUM — (3,000) (25c-40c) 7 days. Gross: $6,100. (Average, $7,600)
"Ninotchka" (M-G-M)
"City In Darkness" (20th-Fox)
PARAMOUNT—(3,000) (25c-40c) 7 days. Gross: $5,800. (Average, $7,000)
"South of the Border" (Rep.)
"Main Street Lawyers" (RKO)
STATE—(900) (20c25c-35c) 7 days. Gross: $1,100. (Average, $2,000)

'Twenties' Is Lead Grosser In Twin Cities

MINNEAPOLIS, Dec. 26.—"The Roaring Twenties" was the best grosser in both Minneapolis and St. Paul, the picture getting $6,000 at the Orpheum in the former city, or $4,000 at the Orpheum at the latter.

Estimated grosses for the week ending Dec. 21:

Minneapolis:

"Rio" (Univ.)
"Private Detective" (W. B.)
"Lost Flyers" (Univ.)
"Inspector Hornleigh" (20th-Fox)
ASTER—(900) (15c-25c) Dual bills, split week, 7 days. Gross: $2,500. (Average, $1,500)
"Ninotchka" (M-G-M)
CENTURY—(1,600) (25c-40c) 7 days after week at State. Gross: $4,600. (Average, $4,000)
"Nurse Edith Cavell" (RKO)
ESQUIRE—(25c-40c) 7 days second week. Gross: $500. (Average, $700)
"Blondie Brings Up Baby" (Col.)
GOPHER—(990) (25c) 7 days. Gross: $2,700. (Average, $2,500)
"Calling All Marines" (Rep.)
MINNESOTA—(20c-40c) 7 days, with stage show. Gross: $4,000. (Average $6,000)
"The Roaring Twenties" (W. B.)
ORPHEUM—(25c-40c) 9 days. Gross: $6,000. (Average, $4,400)
"The Real Glory" (U. A.)
STATE—(25c-40c) 7 days. Gross: $4,500. (Average, $4,400)
"Our Neighbors—The Carters" (Para.)
WORLD—(25c-40c) 7 days. Gross: $1,600. (Average, $1,600)

St. Paul:

"The Roaring Twenties" (W. B.)
ORPHEUM—(25c-40c) 7 days. Gross: $4,000. (Average, $3,200)
"Day-Time Wife" (20th-Fox)
PARAMOUNT—(2,500) (25c-40c) 7 days. Gross: $3,900. (Average, $4,400)
"20,000 Men a Year" (20th-Fox)
RIVIERA—(1,000) (25c) 7 days. Gross: $1,500. (Average, $1,800)
"Kid Nightingale" (W. B.)
"Hawaiian Nights" (Univ.)
TOWER—(1,000) (25c) 7 days dual bill. Gross: $1,400. (Average, $1,600)
"Main Street Lawyer" (Rep.)
WORLD—(400) (25c-55c) 7 days. Gross: $500. (Average, $700)

'Deuces' Overcomes Providence Slump

PROVIDENCE, Dec. 26.—A falling off in business was general. "The Flying Deuces" and "Reno," dualled at the RKO-Albee, took $6,500.

Estimated takings for the week ending Dec. 19-21:

"The Flying Deuces" (RKO)
"Reno" (RKO)
RKO-ALBEE—(2,239) (25c-35c-50c) 7 days. Gross: $6,500. (Average, $6,000)
"Remember?" (M-G-M)
LOEW'S STATE—(3,230) (25c-35c-50c) 7 days. Gross: $9,000. (Average, $11,000)
"On Dress Parade" (W. B.)
"Missing Evidence" (Univ.)
MAJESTIC—(2,250) (25c-35c-50c) 7 days. Gross: $4,000. (Average, $7,000)
"Night of Nights" (Para.)
"Llano Kid" (Para.)
STRAND—(2,100) (25c-35c-50c) 7 days. Gross: $4,000. (Average, $6,000)
"The Big Guy" (Univ.)
FAY'S—(1,800) (25c-35c-40c) 7 days. Stage show with Betty Tanner and Buddy Thomas; Stanley Twins; Edwards & Arden; Rodney & Gould; Davis & Bob; and the Three Kataros. Gross: $4,500. (Average, $6,500)
"Another Thin Man" (M-G-M)
"Those High Grey Walls" (Col.)
CARLTON—(1,526) (25c-35c-50c) 7 days, 3rd week. Gross: $1,800. (Average, $3,500)
"U-Boat 29" (Col.) (3 days)
"They Shall Have Music" (U. A.) (3 days)
"Drums Along the Mohawk" (20th-Fox) (3 days)
"Everything's on Ice" (RKO) (4 days)
EMPIRE—(2,200) (20c-30c) 2nd run. Gross: $1,450. (Average, $1,700)

NOW IN SECOND SUCCESSFUL YEAR

ANNOUNCED over a year ago, Eastman's three new negative films scored an instant success. Today, Plus-X, Super-XX, and Background-X are firmly established favorites. Throughout the industry their unrivalled photographic quality and trustworthy uniformity receive well-merited acclaim. Eastman Kodak Co., Rochester, N.Y. (J.E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work

Broadway Enjoys Big Yule Week-End

(*Continued from page* 1)

mated $38,000 for its first five days. The same period at the Roxy drew an estimated $26,000 for "Everything Happens at Night," with a stage show, in its second week.

The Astor has been playing to 100 per cent capacity since the opening of "Gone With the Wind" last Tuesday evening. The advance sale, for the next 10 weeks, totals $80,000. The first 6½ days at the Astor produced an estimated $22,000 while the same film at the Capitol, on a continuous run, drew an estimated $65,000. In Atlanta, the picture did an estimated $24,000 for its first week; in Cincinnati, an estimated $19,500; in Reading, an estimated $16,000; and in Harrisburg, an estimated $13,000.

Business at the Capitol was reported as near capacity Saturday and Sunday and full capacity on Monday. Fifty policemen were on duty at the theatre Monday until the 9 P.M. show. There were more than 3,000 persons in line for the first show yesterday and long lines on 51st St. to Eighth Ave. were in evidence throughout the day.

At the Globe, "Charlie Chan in the City of Darkness" drew an estimated $5,000 last week.

Three Officials Give Testimony at Boston

BOSTON, Dec. 26.—Leo Jacobi, of Warner Brothers' New York exchange; Henry Humell, New Jersey branch manager for Warners, and Frank McCarthy, Eastern divisional sales manager for Universal, were among those who testified today in the Morse Rotherberg suit against the major companies, as the hearing continued after a three-day holiday recess.

Harry Brandt Talks At Ampa Tomorrow

Harry Brandt, president of the I. T. O. A., will address the Ampa luncheon meeting tomorrow at Stouffer's restaurant. He will discuss means of defeating the Neely bill.

Tomorrow is "free lunch day" for those who can show paid-up membership cards.

Back From Japan On Hays Mission

HOLLYWOOD, Dec. 26.—Morton E. Seller, Beverly Hills attorney, has returned from a three months' trip to Japan negotiating for more favorable trade regulations governing American pictures. He served as a representative of the Hays office.

Sues Over Back Wages

HOLLYWOOD, Dec. 26.—Guy H. Cooper, former financial secretary of the recently dissolved Studio Technicians Local 37, I.A.T.S.E., today filed suit seeking $8,100 in alleged back pay and punitive damages from I.A.T.S.E. International, five newly created studio locals and officers of the former local.

Para Buys 'Skylark'

HOLLYWOOD, Dec. 26.—Paramount has purchased Samuel Raphaelson's play, "Skylark," currently being offered on Broadway, for a reported $125,000.

New York Review

"Charlie McCarthy, Detective"

(*Universal*)

Charlie McCarthy and Edgar Bergen may not be the greatest screen sleuths but their ranking with the funniest may not be questioned. While Charlie and Edgar (with the occasional assistance of Mortimer Snerd) are on the screen the quips are plentiful and the dialogue mirthsome. Suffice it to say that the trio occupies most of the footage.

Edgar Kennedy, as the inevitable police inspector in murder mysteries, is present to add a slapstick touch while Constance Moore sings several songs. Night club scenes and a weekend party in the country make it easy for Bergen to work in his routine.

The too-complicated plot concerns itself with two newspapermen (Robert Cummings and John Sutton) who discover that their employer is in league with an underworld figure (Harold Huber). Although Charlie tries his hand at solving the murder of the publisher, it is Bergen who discovers the answer while Charlie is tucked in a wardrobe trunk.

The humor is gentle and the fighting rough-and-tumble. Children and adults should like it. Frank Tuttle directed and Jerry Sacheim produced. The screenplay was written by Edward Eliscu, Harold Shumate and Richard Mack from an original by Robertson White and Darrell Ware.

Running time, 75 minutes. "G."* EDWARD GREIF

*"*G" denotes general classification*

Loew's to Re-Elect 12 Directors Jan. 16

Reelection of 12 directors is the only business scheduled at the annual meeting of stockholders of Loew's, Inc., to be held at the home office Jan. 16. This is designated as a special meeting, as the annual meeting had been deferred from Dec. 12.

Directors include George N. Armsby, David Bernstein, Leopold Friedman, John R. Hazel, Alexander Lichtman, Charles C. Moskowitz, William A. Parker, J. Robert Rubin, Nicholas M. Schenck, Joseph R. Vogel, David Warfield and Henry Rogers Winthrop.

Bernstein, Parker and Warfield have been designated as proxies for common stock holders at the meeting.

Roosevelt to Reveal His Plans Next Week

HOLLYWOOD, Dec. 26.—James Roosevelt will announce definite plans for his producing company early next week, he said today in denying reports linking him with several distributing organizations.

Roosevelt disclosed that he is being financed by Chicago and New York individuals whom he declined to identify. He said he is negotiating for the film rights to "The Bat."

He refuted additional reports that he will delay the start of production for three months to campaign politically in behalf of his father. "I do not intend to participate in politics now or later," he said.

Buys Classic Theatre

The Perlmutter Holding Corp. has sold the Classic Theatre, 600-seat house at Tomkins and Pulaski St., Brooklyn, to the S. R. F. Amusement Corp., a subsidiary of the Interboro Theatres, Inc., which controls 48 theatres in the metropolitan area. The property, assessed at $28,000, was sold for $35,000. It was bought subject to a lease expiring May, 1941.

Radio Brevities

Two program renewals were announced by NBC-Red yesterday. Cummer Products has renewed "The Battle of the Sexes" for Molle for an additional 52 weeks. Fifty-three stations will be used.

Phillip Morris has renewed "Johnny Presents" for another year. Seventy-six Red stations will be used. Both renewals are effective Jan. 30.

"The Gateway to Hollywood" will increase its time to a full hour Sunday for the final eliminations on its talent quest. The program will be broadcast 6:30 - 7:30 P.M.

"Gang Busters" will celebrate its fourth anniversary over 63 CBS stations on Saturday, Jan. 6, at 8 P.M. Colgate-Palmolive-Peet is the sponsor.

Carnation Co. will sponsor Arthur Godfrey in a one-man show over nine Mutual stations beginning today. He will be heard Mondays, Wednesdays and Fridays at 9 A.M. Erwin Wasey is the agency.

Fighting U. S. Power To Take Over Radio

American Civil Liberties Union will sponsor a bill in the next Congress to abolish the power of the President to regulate broadcasting during a national emergency.

The Federal Communications Act provides that the Government may take over radio upon proclamation by the President "that there exists a war or threat of war or a state of public peril or disaster or other national emergency, or in order to preserve the neutrality of the United States." This, says the Union, is dangerous to freedom of expression.

The National Council on Freedom from Censorship has requested a hearing on the subject of regulation of short wave broadcasting in wartime.

Newsreel Parade

First pictures of the Graf Spee sinking are included in the new issues. Movietone, News of the Day and Universal present a resume of important news events of the past year. Reels and their contents follow:

MOVIETONE NEWS, No. 31—Top news events of 1939. Lew Lehr.

NEWS OF THE DAY, No. 229—Symposium of important events during the past year. *Graf Spee* scuttled.

PARAMOUNT NEWS, No. 34—Swim meet in Florida. Tropical Park opens. Belgian students in Finnish salute. Troops in French Africa. Queen Elizabeth visits evacuated children. King George visits LeBrun. *Graf Spee* scuttled.

RKO PATHE NEWS, No. 46—Burning of *Graf Spee*. Bombers towed to Canada. Helen Hayes honored for refugee aid. Streamlined showboat. A. A. U. meet in Chicago. Rangers vs. Canadians hockey game.

UNIVERSAL NEWSREEL, No. 855—*Graf Spee* sunk by crew. Resume of outstanding events of past year.

Movietone Scores Beat on Graf Spee

Movietone News scored a beat over the weekend by delivering films of the scuttling of the *Graf Spee* off Montevideo harbor to Broadway newsreel theatres fully 24 hours before its earliest competitor.

A clip of about 200 feet was delivered to the Embassy Theatre at 6 P. M. Saturday. Pathe released its films Sunday night and Universal on Monday. Paramount and News of the Day included the story in their midweek releases yesterday.

Movietone received the films from Buenos Aires by Clipper Saturday morning and released a special the same day. The reels for Europe, Australia and Japan were sent by air from Buenos Aires.

The films show the explosion of the *Graf Spee* and its smoking ruins, as well as the landing of the crew and hospitalization of the wounded at Buenos Aires. Pictures of Capt. Hans Langsdorff are included.

Equity Council Asks Longer Wage Study

The council of Actors Equity yesterday sent back to its committee for further study the question of raising minimum salaries from the present level of $40 weekly to $50. The committee was instructed to make analysis of wages paid to actors on the legitimate stage and to complete a statistical study. The vote on the question was deferred until the committee makes its report.

Approve Sunday Films

MARTIN, Tenn., Dec. 26.—Sunday films will be permitted hereafter in this town, following favorable action by the Mayor and Board of Aldermen. Films may be shown only in the afternoon, however.

Plan Finnish Benefits

Theatrical unions will meet at the office of Matthew Woll, vice-president of the American Federation of Labor, tomorrow afternoon to consider plans for performances for the benefit of Finland.

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N. Y.
(6 COPIES)

MOTION PICTURE DAILY

Indispensable to the Motion Picture Industry

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 125 NEW YORK, U. S. A., THURSDAY, DECEMBER 28, 1939 TEN CENTS

Poll Chooses M'Carthy '39 Air Champion

Wins 3rd Year in Row; Jack Benny Second

The sensational sliver, Charlie McCarthy, is still the tops.

Once more acclaimed radio's "Champion of Champions" by vote of 700 radio editors and columnists polled by MOTION PICTURE DAILY on behalf of *Fame* in the fourth annual popularity survey, Edgar Bergen's saucy splinter far outdistanced the rest of the field to win top-ranking for the third consecutive year. There were occasional special mentions, too, of Bergen's plastic pal, the rustic Mortimer Snerd.



Charlie McCarthy

Jack Benny and Bing Crosby, perennial topnotchers, drew down the second and third berths, respectively.

In a year not marked by the advent of any big new attractions, the results, for the most part, showed the old favorites still holding their former popularity. Almost all the champions of yesteryear were returned as winners in their classifications again, although there were shifts among the runners-up.

By far the most impressive contribution of radio this year was the wholesale cancellation or abbreviation of paid commercial programs, evening after evening, to make way for announcements of important news de-

(*Continued on page 31*)

Figure 6-City 'Wind' Draw at $2,500,000

Metro-Goldwyn-Mayer distribution officials estimate that in the six cities where "Gone With the Wind" is showing at eight theatres, the picture will do a box-office gross of $2,500,000, in its first runs.

Howard Dietz, director of advertising and publicity, left by plane last night to attend the picture's opening in Los Angeles, at the Carthay Circle tomorrow and at the United Artists on Friday. He will be gone 10 days. These will complete the preliminary test runs.

Universal to Start Scully Sales Drive Running 4 Months

Universal's district managers have set a nationwide sales and charges drive to begin Dec. 31 and run through May 4. The drive will be named in honor of William A. Scully, general sales manager, who on Jan. 1 will start his third year with the company.

The ground work for the testimonial drive was set at a recent meeting of district managers at the home office, when Nate Blumberg, president, outlined product for the balance of the current season.

The drive will feature a contest between the East and the West, headed by F. J. A. McCarthy and William J. Heineman, respectively.

Scully came to Universal Jan. 1, 1938, after 20 years in the M-G-M sales division, where he started as New Haven manager, and became eastern division district manager in 1930.

Kaplan Slate Wins Posts in 306 Ballot

The slate led by Sam Kaplan, former president, was successful in electing four members to the executive board of Operators' Union, Local 306, in elections held yesterday at the Palm Garden.

The four members include Kaplan, Eddie Stewart, Frank J. Inciardi and Harry E. Storin.

It is expected that the Kaplan group will control the board by winning the support of two additional members.

Joseph D. Basson was re-elected president. Morris Kravitz, a Kaplan supporter, was named vice-president. Herman Gelber, recording secretary; Charles Beckman, financial secretary, and James Ambrosio, treasurer, also were elected.

Bert Popkin was named Manhattan business agent, while Jack Tietler was chosen business agent for Brooklyn. Herman Boritz, David Garden and George Magarian were elected trustees.

The remaining six members of the

(*Continued on page 4*)

'HEIGHTS' BEST '39 FILM, CRITICS VOTE

Award It Highest Honor After Split Over 'Wind' and 'Mr. Smith'

"Wuthering Heights," Samuel Goldwyn production released by United Artists, has been chosen as the best picture of the year by the New York Film Critics.

The choice was a compromise only after 13 ballots had been taken. Until the 14th and final ballot, the battle was between "Gone With the Wind" and "Mr. Smith Goes to Washington."

Awards for Best Acting

The votes shifted back and forth but neither got the required two-thirds majority necessary to be declared the winner. Then suddenly the balloting veered into another direction with neither of these two leaders winning. Instead, those who were opposed to "Wind," turned about face completely and voted for "Wuthering Heights." It obtained 13 votes out of a possible 17.

Other selections include: best actor, James Stewart for his part in "Mr. Smith Goes to Washington"; best actress, Vivien Leigh for her role as Scarlett O'Hara in "Gone With the Wind"; best direction, John Ford, for "Stagecoach," and best foreign language picture, "Harvest," French Film Center release.

Seven Pictures Nominated

Nominated for the honor of the best 1939 film, besides "Wuthering Heights," "Mr. Smith Goes to Washington" and "Gone With the Wind," were "Goodbye, Mr. Chips," "Ninotchka," "Stagecoach" and "Juarez."

Robert Donat for his work in "Goodbye, Mr. Chips" and Henry Fonda who played the title role in

(*Continued on page 32*)

Court Dismisses Goldwyn Contract Suit Against U. A.

WILMINGTON, Dec. 27.—Federal Judge John P. Nields today dismissed Samuel Goldwyn's complaint against United Artists in which he asks the court to void his distribution contract with the company.

The action, which was argued by counsel for both sides on June 14, was dismissed because of a defect of parties, one of the grounds on which attorneys for the distributor asked for dismissal of the suit.

It had been argued that the Goldwyn complaint failed to include the proper defendants. The four other parties are Alexander Korda, London Film Productions, Ltd., the late Douglas Fairbanks and Elton Corp.

In his opinion dismissing the complaint, Judge Nields declared:

"This is a declaratory judgment suit under a relatively new act of Congress. The courts have held that excerciser of jurisdiction under this statute is discretionary and that the exercise of discretion is to be determined by the facts of the case.

"If to afford the relief prayed for

(*Continued on page 2*)

U. S. Must Reply In Suit by March 1

The Government must answer interrogatories of the major defendants in the anti-trust suit by March 1 and the majors' answers to Government questions must be filed by Feb. 15, it was revealed yesterday when a stipulation to that effect was filed in the U. S. District Court.

Under the stipulation, however, the Government reserves its right to oppose any interrogatories by filing ob-

(*Continued on page 4*)

Call Mass Meeting Against Neely Bill

The New York I. T. O. A. has called a mass meeting for next Wednesday at 2:30 P. M. in the grand ballroom of the Hotel Astor. Steps to defeat the Neely bill will be discussed.

Harry Brandt, president, has sent letters to circuits, independent exhibitors and film companies inviting them to be represented.

Brandt asks that the executive heads of the companies attend and that recipients of the letter invite all those

(*Continued on page 2*)

IN this issue, Motion Picture Daily presents a section reviewing the accomplishments of Nate J. Blumberg, as president of Universal Pictures Company, Inc. Motion Picture Daily takes this occasion to extend felicitations to him, and to Universal and the company's personnel.

Call Mass Meeting Against Neely Bill

(*Continued from page* 1)

with whom they do business, whether they are directly or indirectly in the industry. There will be no fund solicitation.

Coast Guilds To Take Stand Upon Neely Bill

HOLLYWOOD, Dec. 27.—The Screen Actors, Writers and Directors Guilds this week will have representatives confer on the respective stands to be taken on the Neely bill.

The Screen Directors' board of directors met last night and named Garson Kanin, Lewis Milestone and E. H. Griffith to represent it at a conference scheduled for Friday with Kenneth Thomson of the Screen Actors and Ralph Block of the Writers Guild to discuss the possible effects of the bill upon production.

Thomson represented the S.A.G. and Ralph Block the S.W.G., at the Senate hearings on the proposed measure. The Writers Guild board of directors will meet Tuesday night to take a definite position on the bill. Block, at the Senate hearing declared the bill would not be to the best interests of writers because of its provision that synopses of forthcoming pictures be given to the exhibitors.

McCarthy Testifies

BOSTON, Dec. 27.—F. J. A. McCarthy, eastern sales manager, and Leo Abrams, short subject sales manager for Universal, testified today in the anti-trust suit of Morse & Rothenberg against the major companies. They were followed by Richard Dobbyn of the Main and New Hampshire Theatres Co.



PROUD WORDS:

"I FLY UNITED"

Distinguished overnight sleeper and scenic daylight flights to LOS ANGELES. The Continental, leave 5:15 pm, and "The Overland Flyer," leave 10:45 pm. Finest meals aloft. Call travel agents, hotels, or

UNITED AIR LINES

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Purely Personal

HAL HORNE, vice-president of Walt Disney Productions, is still ill at his home.

•

JULES LEVY, LEON NETTER, AL LEWIS, HARRY KAUFMAN, ROBERT WOLFF, JOSEPH BERNHARD, SIDNEY KINGSLEY, ARTHUR KRIM and I. E. LOPERT at Sardi's for lunch yesterday.

•

WILLIAM A. SCULLY, TOM CONNORS, TED O'SHEA, JOHN HICKS, RUSSELL HOLMAN and PHIL SPITALNY lunching at Nick's Hunting Room in the Astor yesterday.

•

FRANKIE DARRO, Monogram player, will start a personal appearance tour at the Colonial, Detroit, Jan. 7. He will appear at the Oriental, Chicago, and other Midwest theatres.

•

W. D. YEAKLE, city manager of Northio Theatres, Danville, Ky., is the father of a daughter, MYRNA ANNE, born to MRS. YEAKLE on Christmas Eve.

•

HARRY F. SHAW, Loew-Poli division manager in New Haven, has been presented the gold badge of an inspector by the Connecticut Department of Motor Vehicles.

•

FERDINAND V. LUPORINI, foreign distributor, returned to New York yesterday aboard the *Uruguay* after a six-week stay in Rio de Janeiro.

•

MR. and MRS. LOUIS NIZER return next Tuesday from a South American cruise.

•

H. M. RICHEY of RKO and his family leave Friday for Detroit where they will spend the holiday weekend.

•

BENNY FIELDS, due to illness, has been forced to cancel his stage engagement at Loew's State.

•

ROBERT L. MOCHRIE, RKO southern division manager, is in town.

•

EDWARD ELLIS is in New York from the Coast for a brief vacation.

Ben Goetz Is Flying To London Tuesday

Ben Goetz, in charge of M-G-M production in England, arrived yesterday from the Coast and will leave by *Clipper* next Tuesday from Baltimore to resume his duties. He will be accompanied by Robert Montgomery, who will arrive from the Coast tomorrow.

Victor Saville, who was an M-G-M production executive in England and is now on the Coast, will return to London next month.

Montgomery's first British picture, "Busman's Honeymoon," will start late in January. His second will be "I Had a Comrade."

Set Loew-Burke Trial

Trial of the suit of Loew's, Inc., Billie Burke Ziegfeld and Select Operating Corp. for an injunction against the Ziegfeld Midnite Frolic Corp. and Nicholas Blair was set for Jan. 2 by N. Y. Supreme Court Justice Samuel H. Hofstadter yesterday.

Credit Is Due

The New York *Post* on Tuesday evening published the following brief editorial, captioned: "Where Credit Is Due":

"We add to our list of unsung molders of America these names: Howard Dietz, William Ferguson, Russell Birdwell, William Herbert and E. C. Coleman. They are the men in charge of publicity for 'Gone With the Wind.'"

Metro's Auditors Meet Here Jan. 2

Annual meeting of M-G-M traveling field auditors will be held at the Hotel Astor here Jan. 2 to 6, with Alan F. Cummings and Charles K. Stern, home office executives, supervising.

Plans for branch operations in the coming year and a review of current year's operations will be on the agenda. William F. Rodgers, general sales manager; T. J. Connors and E. M. Saunders, division managers, and Harry Cleary of the Loew theatre department will address the sessions.

Attending will be John J. Ash, William Marsh, Charles Aaron, Charles School, Park Agnew, Thomas F. Grady, Nat Rochlin and Ben Wolf. Joseph Collard and Jay H. Zimmerman will represent Regal Films, M-G-M distributor in Canada.

Horner Sues Paper Over Bioff Editorial

SPRINGFIELD, Ill., Dec. 27.—Gov. Henry Horner of Illinois today filed in Cook County Circuit Court a suit for $250,000 damages against Chicago Daily News, Inc., and Frank Knox, editor and publisher of the newspaper.

The libel suit results from the publication Dec. 21 of an editorial by the *Daily News* asking why the Governor had not acted in the extradition proceedings for the return to Chicago of William Bioff from California. Horner alleges the newspaper and publisher deliberately misrepresented facts in connection with a hearing held here Dec. 19 in an attempt to "injure and destroy" the Governor and Democratic Party for political reasons. The newspaper, in the editorial, had asked the Governor for an explanation of why he delayed the case until Jan. 10.

Waller Heads Union

WILMINGTON, Del., Dec. 27.—The local operators' union elected John R. Waller president. Other officers are: vice-president, Thomas Varell; recording secretary, Albert B. Williams; financial secretary, Frank Eckert; business manager, Walter F. Scott; sergeant-at-arms, Joseph Wright; members of the executive board, Waller, Varell, Scott, Howard Rouke, Jr., and Alexander Errickson.

Stars at Ampa Meeting

Sir Cedric Hardwicke and Edmund O'Brien, both in the cast of "Hunchback of Notre Dame," are scheduled to appear at the Ampa luncheon meeting today at Stouffer's restaurant. Harry Brandt will discuss the Neely bill. Today is "free lunch day" for paid-up members.

Goldwyn Complaint Against U. A. Killed

(*Continued from page* 1)

in a declaratory judgment suit the Court must go beyond the contracts which are the subject of the suit and declare breaches of contracts where the parties to such contracts are not before the Court, clearly the Court should not assume jurisdiction.

"Plaintiffs are seeking a declaration that defendant has so conducted itself with respect to Korda and that Korda has so conducted himself with respect to the defendant and that plaintiffs are entitled to the relief sought in the suit. The declaration, if made, would put Korda in the position of being declared a contract-breaker without his day in court.

"The declaratory judgment statute should not be stretched to cover this case where it will precipitate further controversy instead of making an end to controversy. The act was intended to prevent litigation not to encourage it."

Decision "Conclusive," Raftery Declares

Max Steuer, attorney for Samuel Goldwyn, was reported to be ill at his home yesterday and unable to comment on the Wilmington court decision dismissing Goldwyn's action against United Artists.

Edward C. Raftery, of counsel for United Artists, said he regarded the decision as "conclusive on the issues involved."

Goldwyn's first action was filed in New York Federal court. After United Artists' attorneys answered the complaint, pointing out what they believed to be defects contained in it, Steuer withdrew the case and brought a new action in Wilmington.

Injunction Argued In Randforce Case

Motion for a temporary injunction in the equity suit against Randforce Amusement Corp., Samuel Rinzler, Louis Frisch, William Yost and major companies was argued before Judge Grover M. Moskowitz in the Brooklyn Federal Court yesterday.

The 395 Amusement Corp., owner of the Gloria, 395 Court St., Brooklyn, filed suit for a permanent injunction against the defendants on Dec. 11. Plaintiff claims that a preference in clearance was granted the Clinton, recently erected Randforce theatre in that vicinity.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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REDBOOK

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"THE PRIVATE LIVES OF
ELIZABETH AND ESSEX"

Now in Preparation
from the best seller
"ALL THIS AND HEAVEN, TOO"

'Tower' Pulls Good $14,500 Frisco Lead

SAN FRANCISCO, Dec. 27.—"Tower of London" and "Laugh It Off" at the Warfield drew $14,500 in the slow pre-Christmas week. "First Love" and "Beware Spooks" took $8,500 in the second week at the Orpheum.

Estimated takings for the week ending Dec. 19-22:

"Two Bright Boys" (Univ.)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $13,500. (Average, $15,000)
"First Love" (Univ.)
"Beware Spooks" (Col.)
ORPHEUM—(2,440) (15c-35c-40c) 7 days, 2nd week. Gross: $8,500. (Average, $8,000)
"Judge Hardy and Son" (M-G-M)
"City in Darkness" (20th-Fox)
FOX—(5,000) (15c-30c-35c-40c) 7 days. Gross: $12,500. (Average, $16,000)
"Secret of Dr. Kildare" (M-G-M)
"Joe & Ethel Turp Call on President" (M-G-M)
PARAMOUNT — (2,740) (15c-30c-35c-40c) 7 days. Gross: $11,000. (Average, $11,500)
"Housekeeper's Daughter" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days, 3rd week. Gross: $5,200. (Average, $8,000)
"Another Thin Man" (M-G-M)
"Henry Goes Arizona" (M-G-M)
ST. FRANCIS—(1,400) (15c-30c-35c-40c) 7 days, 3rd week. Gross: $5,200. (Average, $6,000)
"Tower of London" (Univ.)
"Laugh It Off" (Univ.)
WARFIELD—(2,680) (15c-30c-35c-40c) 7 days. Gross: $14,500. (Average, $12,000)
"Skanor-Falsterbo" (Swedish)
CLAY—(400) (15c-35c-40c) 7 days. Gross: $750. (Average, $1,000)
"Lucrezia Borgia" (Gallic)
LARKIN—(390) (15c-35c-40c) 7 days, 9th week. Gross: $600. (Average, $1,000)

Bondy Allows RKO Claims of $107,304

General unsecured claims in the sum of $107,304 against RKO were allowed yesterday by Federal Judge William Bondy. Creditors whose claims were allowed are the Union Guardian Trust Co., $45,000; the United States National Bank of Denver, $37,552; Laura F. Albee, $21,000; the American Co., $3,558, and the estate of Cora E. Gregg, $204.

Judge Bondy at the same time authorized the extension by the Irving Trust Co., trustee of RKO, of $50,000 in secured gold notes to April 1, 1940.

Loew and 20th-Fox Settle Evanston Suit

CHICAGO, Dec. 27.—Loew's and 20th Century-Fox have settled their differences with Frank Ford, Evanston, Ill., exhibitor, and signed new product deals for his Stadium Theatre.

As a result Ford will drop the two companies from his anti-trust suit against Balaban & Katz, Sam Myers and the major companies. Ford also will drop from the action the individuals, Nicholas M. Schenck, Sam Katz and Joseph M. Schenck. The status of the other major defendants remains the same.

Study School Film Use

LAKE WORTH, Fla., Dec. 27.—The use of motion picture machines in high schools of Lake Worth, West Palm Beach, Boynton and Delroy Beach and Pahokee during this year's term is being considered by the School Board.

City Admits Lack of Plan to Assure Film Production

There is no specific plan in existence for bringing film production to New York, according to attaches of Mayor LaGuardia's new Chamber of Commerce, which yesterday took possession of its new headquarters in the RKO Building, Radio City.

Clendenin J. Ryan, Jr., former Sanitation Commissioner, who heads the new department, will not move into the new offices until next week. Until then, he will continue to make his headquarters at City Hall.

His associates at the new Chamber of Commerce office uptown described the aims of their organization as two-fold—first, to help the city retain industries now located here and, second, to encourage new industries to move to New York. The campaign to bring some film production to the city enters into the chamber's work through the second objective.

The organization hopes eventually to develop a specific plan for inauguration of regular production here but at this time the campaign has not extended beyond the various informal conferences which the Mayor and Ryan have held with a number of industry executives and producers, it was said.

Mrs. Love Appointed Pennsylvania Censor

HARRISBURG, Dec. 27.—Governor James today appointed Mrs. Lucy H. Love a member of the Motion Picture Board of Censors of Pennsylvania and designated her as secretary of the board at a salary of $5,000.

Mrs. Love succeeds Mrs. Hester M. Fye of Waynesburg, who has been out of office for the past year. At that time, Governor James removed the three Democratic members of the board to replace them with Republicans. The other two Republican appointees are Mrs. Edna Carroll, Philadelphia, and John Clyde Fisher, Sharon, who have been serving since shortly after Governor James took office.

Delay Schenectady Television Station

The opening of General Electric's television station on Heidelberg Mountain, near Schenectady, originally scheduled for Jan. 2, has been postponed indefinitely, it was learned yesterday. A new date is expected to be set next month.

G. E. engineers, who are installing television equipment with frequency modulation, have not been able to complete the work. In addition, the program department does not wish to start regular operations until the relay equipment for re-telecasting of NBC programs from New York is ready. Experimental telecasting, started several weeks ago, will continue.

FCC Approves Hart

Vincent G. Hart, attorney, former member of the Hays Production Code staff, has been admitted to practice before the Federal Communications Commission.

Robber Routed

Mary Stock, cashier at Loew's Melba, Brooklyn, earned the praise of C. C. Moskowitz, Loew theatre head, for the way she handled an attempted holdup at the box-office the other night. "Santa" with a gun, demanded her cash. She argued while she pressed the burglar alarm. The arrival of the theatre staff routed the robber, minus the receipts.

Radio Brevities

WEVD will feature a new type of program on Fridays from 8:30 to 9 P. M., beginning tomorrow. Two radio editors, Leonard Carlton and Jo Ranson, will select the best non-commercial feature broadcast by any other station during the week, and WEVD will re-broadcast a recording of the program for those who were unable to tune in on the original broadcast.

WATL, Atlanta, becomes the 125th affiliate of Mutual on Jan. 21. The station is owned by the Atlanta Broadcasting Co. and operates on 1,370 k.c. with 250 watts, daytime power, and 100 watts, night.

Cities Service concert hour, the oldest commercial network show, now in its 14th year, has been renewed for an additional 13 weeks, effective Feb. 2. The 700th performance on the air will be broadcast tomorrow from 8 to 9 P. M.

The annual Motorboat Show is sponsoring three press news broadcasts over WABC, Monday, Wednesday and Friday of next week, at 3:30 P. M.

Anacin Co. and Bisodol Co. have renewed the "Easy Aces" for an additional 52 weeks, effective Jan. 30. The programs are heard Tuesdays, Wednesdays and Thursdays from 7 to 7:30 P. M. over 42 NBC-Blue stations.

"Mr. District Attorney" has been renewed by Pepsodent for 13 weeks effective Dec. 31, on 41 NBC-Blue stations.

Deadline Extended For Ticket Brokers

The League of New York Theatres yesterday extended the deadline for ticket brokers who have not yet signed the ticket code to Jan. 2. No further tickets will be alloted to brokers who have not signed but all of them have tickets on hand to last until after New Year's Day.

Gustave A. Gerber, attorney for the Associated Theatre Ticket Agen- further tickets will be allotted to brokers which rejected the code on Tuesday, reiterated his intention yesterday to bring legal action if the code is enforced after Jan. 2.

Kaplan Slate Wins Posts in 306 Ballot

(Continued from page 1)

executive board elected were William De Sena, Steve D'Inzillo, Ben Scher, Dick Caricellare, Alex Polin and Arthur J. Costigan.

'Gulliver' Is Los Angeles Best, $20,000

LOS ANGELES, Dec. 27.—"Gulliver's Travels" led here with $20,000 at the Paramount.

Estimated takings for the week ending Dec. 27:

"Everything Happens at Night" (20th-Fox)
"20,000 Men a Year" (20th-Fox)
CHINESE—(2,500) (30c-75c) 7 days. Gross: $9,300. (Average, $12,500)
"Of Mice and Men" (U. A.)
4 STAR—(900) (40c-55), 7 days. Gross: $8,400. (Average, $3,250)
"Ailegheny Uprising" (RKO)
"The Amazing Mr. Williams" (Col.)
HILLSTREET—(2,700) (30c-65c) 6 days. Gross: $6,500. (Average, $6,500)
"Everything Happens at Night" (20th-Fox)
"20,000 Men a Year" (20th-Fox)
LOEW'S STATE—(2,500) (30c-75c) 7 days. Gross: $12,500. (Average, $14,000)
"Allegheny Uprising" (RKO)
"The Amazing Mr. Williams" (Col.)
PANTAGES—(2,000) (30c-65c) 5 days. Gross: $5,400. (Average, $7,000)
"Gulliver's Travels" (Para.)
PARAMOUNT—(3,595) (30c-65c) 7 days. Stage: F. & M. revue, Linda Ware, Rube Wolf and his orchestra. Gross: $20,000. (Average, $18,000)
"Four Wives" (W. B.)
"Smashing the Money Ring" (W. B.)
WARNER BROS. (HOLLYWOOD) — (3,000) (30c-65c) 7 days. 2nd week. Gross: $7,800. (Average, $14,000)
"Four Wives" (W. B.)
"Smashing the Money Ring" (W. B.)
WARNER BROS. (DOWNTOWN) — (3,400) (30c-45c) 7 days. 2nd week. Gross: $9,000. (Average, $12,000)

'Remember' $16,300 But Buffalo Is Dull

BUFFALO, Dec. 27.—A record pre-Christmas buying rush here was reflected on box-offices, holding grosses down. Best was "Remember" and a stage show at the Buffalo which brought $16,300.

Estimated takings for the week ending Dec. 23:

"Remember" (M-G-M)
BUFFALO—(3,000) (30c-35c-55c) 7 days. Cab Calloway and revue on stage. Gross: $16,300. (Average, $12,000)
"The Housekeeper's Daughter" (U. A.)
"Our Neighbors, the Carters" (Para.)
GREAT LAKES—(3,000) (30c-50c) 7 days. Gross: $6,500. (Average, $7,500)
"The Night of Nights" (Para.)
"Television Spy" (Para.)
HIPPODROME—(2,500) (25c-35c) 7 days. Gross: $3,800. (Average, $6,800)
"Mutiny in the Big House" (Mono.)
"Pride of the Blue Grass" (W. B.)
TWENTIETH CENTURY—(3,500) (25c-35c) 7 days. Gross: $4,900. (Average, $6,800)
"Blondie Brings Up Baby" (Col.)
"Trapped in the Sky" (Col.)
LAFAYETTE—(3,300) (25c-35c) 7 days. Gross: $4,500. (Average, $6,300)

U. S. Must Answer In Suit by March 1

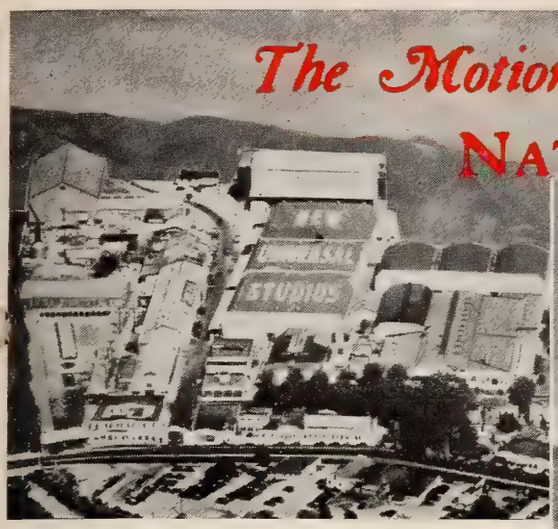
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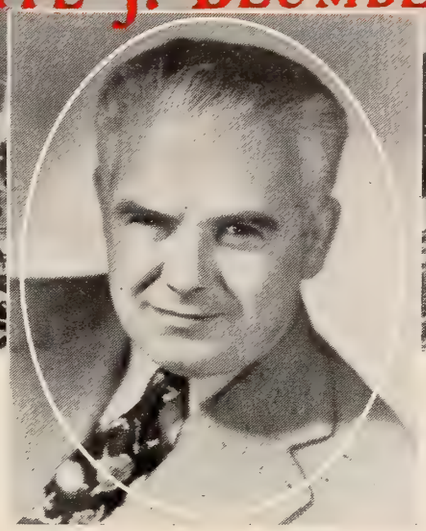
jections by Jan. 15. Columbia is not affected by the agreement since it has filed objections to nine Government questions which will be heard by the court on Jan. 19. Universal is the only major defendant which has not served interrogatories upon the Government. Its questions will be filed this week, it was reliably stated.

Clear Circuit in Suit

NEW HAVEN, Dec. 27.—A child plaintiff failed to recover in a $50,000 indecent assault case against Poli-New England Theatres, Inc. in the Superior Court here, Judge Robert L. Munger finding that there was no act of negligence so far as lack of supervision or lighting was concerned.

The Motion Picture Industry Honors NATE J. BLUMBERG







Unified Operation Blumberg's Aim

THE new Universal was born in November, 1937, when Nate J. Blumberg, after conversations which started in May of that year, concluded a pact with J. Cheever Cowdin and Charles Prutzman, to become president of the company. Blumberg came from RKO, where he was vice-president and general manager of theatre operations.

Upon assuming the presidency of Universal, Blumberg in a message to the company's employes, dedicated himself to achieving a unified management. In doing this, Universal paid off $827,000 in personal contracts.

New blood was brought into the company. William A. Scully of M-G-M was named vice-president in charge of distribution; Matthew Fox of Skouras Theatres became vice-president and assistant to Blumberg; Cliff Work, operator of RKO's Pacific Coast theatres, was made vice-president in charge of production; Joseph H. Seidelman, former Columbia foreign sales manager, was named vice-president in charge of foreign sales, and John Joseph, district advertising and publicity chief for RKO in Chicago, became director of advertising and publicity.

The company promises net earnings of approximately $1,250,000, for 1939, as compared with a net loss of $700,000 in 1938.

Among the very first rules set down by new Universal were these: (a) No politics. (b) Build confidence by hard work and merit.

"The new Universal must think right," Blumberg wrote to the company's employes. He told them that he was devoting himself to the goal of having production, distribution and exhibition thinking and working harmoniously.

Blumberg Is An Exception to Rule

A PRODUCER-DISTRIBUTOR who not only is personally esteemed but actively supported in a business way by exhibitors is to the motion picture industry what the man-who-bit-the-dog is to the newspaper platitude. Or, to dust off another, he is "the exception to the rule." That man is Nate Blumberg who, since Jan. 1, 1938, has been president of Universal Pictures Company, Inc.

Nate can now celebrate, if he so desires, the beginning of his third year as Universal chieftain. The financial strides made by Universal since Blumberg took hold—from over a million loss to over a million profit—should be pleasant for him to contemplate. The company's brightening reputation and improved output won't cause him to frown. But anyone who knows Blumberg at all can state with certainty what will lead off any prayer of thanksgiving he may utter on Jan. 1, 1940. It will have to do with the fact that there are even more exhibitors rooting for him now than there were two years ago when he walked into Universal's somewhat disordered affairs.

There were, at that time, a lot of people who told Nate he was crazy. He was leaving an important post—vice-president in charge of theatre operations—in the well-organized and successful theatre division of

(Continued on page 29)

'Vitality' Is the Key Word for 'U'

VITALITY is the word for Universal—the old Universal, or the "new Universal" as they call it, but all the while the one surviving and independently functioning organization directly rooted in the beginnings of today's screen industry.

Elasticity to change has ever been Universal's characteristic, and its salvation through the evolutionary opportunities and ordeals of the years.

You have heard the parable of the Irishman's knife which had three new blades and two new handles, but remained the while the same trusty knife. That's Universal, through which down the decades have flowed processions and changes of manpower, policy, product.

Universal began, even as America began, with pioneers advancing on an unexplored frontier. The most conspicuous of its pioneers was the late Carl Laemmle and the frontier was the nickelodeon theatre development to which he contributed the little old White Front Theatre on Chicago's Milwaukee Avenue, the street-metropolis of the melting pot of the prairies. The exhibitor became distributor, the distributor became producer, evolved from the Independent Motion Picture Company, the famous "IMP," into the Universal Film Manufacturing Company, and today's Universal Pictures Corp.

Laemmle was a haberdasher's clerk, a salesman. The film enterprises evolved under his auspices were operated for salesmanship, a notion of fitting the product to the customers. It is to be recalled that Universal, since that first formative impress of policy, has never made a picture for any other purpose than

(Continued on page 29)

Skouras Pays Tribute to Blumberg, the Man and the Exhibitor

By SPYROS SKOURAS

THE motion picture industry today pays tribute to Nate Blumberg, as the man and the exhibitor, and in recognition of his success as the head of Universal. Since no appraisal of his value to the industry is complete without mention of the experience he has gained in its exhibition branch, and since no man is better qualified to embody in production that which exhibition expects of it, the trade which respects and admires Nate Blumberg shall always know him as an exhibitor-producer and accord to him all the cooperation and support that he deserves from every exhibitor in the country. May he always enjoy happiness, health and success.

Executives Behind Universal's Success

MUCH that has been accomplished by the New Universal in its rapid progress in the past two years, since Nate Blumberg took over the presidency, must be credited to the men whose pictures appear on this page.

These are the capable executives who held in their hands, under Blumberg's guidance, the fate of the company in its effort at rebuilding. The success which the company has attained in that effort is a tribute to a staunch faith in their organization and to their own abilities. These are the administrators who are directly responsible for carving the niche which Universal now occupies in the industry.



J. CHEEVER COWDIN, chairman of the board of directors of Universal Pictures and president of Standard Capital Co., was born in New York City, March 17, 1889. He became a partner of Bond and Goodwin in 1912. During the World War he served as a major in the aviation corps. In 1920 he became vice-president of Blair and Co., Inc., and a partner. He formed standard Capital Co. in 1934, becoming Universal's board chairman in 1936. He is a director of 14 aviation and industrial corporations.



JOHN JOSEPH, like a good many of the Universal executives, brings years of exhibitor experience to his post of publicity, advertising and exploitation director. Born in Hinsdale, Ill., July 12, 1898, Joseph was educated in the public schools of that Chicago suburb, of Westfield, N. J. and Indianapolis. He is a graduate of the University of Chicago, 1920, and stepped from the placid halls of education into the clamor of Shubert Theatres publicity, Chicago headquarters. In 1923 he became motion picture critic and amusement editor for the Chicago *Herald-Examiner*, leaving that post in 1927 to join the Balaban & Katz advertising department. RKO lured him away from B. & K. in 1931. From that time until mid-December 1937, when he joined Universal, Joseph was midwest advertising director for RKO. His headquarters are at Universal City. He is married and has one son, John W., who will be 17 in January.



WILLIAM A. SCULLY became general sales manager of Universal on New Year's Day. 1938, after eight years as eastern district manager for Metro-Goldwyn-Mayer. He served with M-G-M for about 19 years. Born in Portland, Me., on April 8, 1894, he left railroad bookkeeping to sell pictures for Famous Players Lasky in 1916, out of Boston and New Haven. He was made M-G-M's New Haven manager in 1918, rising steadily to take over the eastern division in 1930.



LOUIS POLLOCK, eastern advertising and publicity manager for Universal, was born in Liverpool, England, Feb. 16, 1904. He was educated in Canadian public schools and at Strathcona Academy, Montreal. After editorial posts with the Chicago City News Bureau and the Chicago *Herald and Examiner*, he became advertising manager for St. Louis RKO theatres and did advertising for Chicago's Balaban and Katz Theatres. In 1933 he was Mexico's Chicago World's Fair press representative.



JOSEPH H. SEIDELMAN, general foreign manager for Universal Pictures and a company vice-president, has been in the film industry since 1919. After serving with the A. E. F. in France, he was appointed Paramount's Albany manager in 1919. From then until 1933 he was Paramount's vice-president in charge of foreign activities. He was Columbia's general foreign manager before joining Universal. Born in Milwaukee, March 20, 1895, he is a Marquette University graduate and an attorney.



CHARLES D. PRUTZMAN, vice-president, general counsel, director and member of the executive committee of Universal Pictures, was born in Bethlehem, Pa., Nov. 28, 1897. After graduation from Pennsylvania State College in January, 1918, he enlisted in the army. Yale awarded him his LL.B. in 1922 following which he entered the law firm of Chadbourne, Hunt, Jaeckel and Brown. He was a partner in this firm when he resigned to assume his duties as an executive of Universal.



CLIFF WORK, Universal's vice-president and general manager of the Coast studio since May, 1938, started in 1907 as the assistant treasurer of Cincinnati's Columbia Theatre. From there he moved to another famous vaudeville house, the old Orpheum in Los Angeles. Work managed vaudeville theatres in Spokane and Seattle and then moved into a bigger "operation"—the World War, tank corps division. Back in civies, he managed Chicago's famous State-Lake; the Rialto and Mainstreet in Kansas City. In 1924 he opened the Golden Gate, San Francisco, and later became division director of RKO's western theatres.



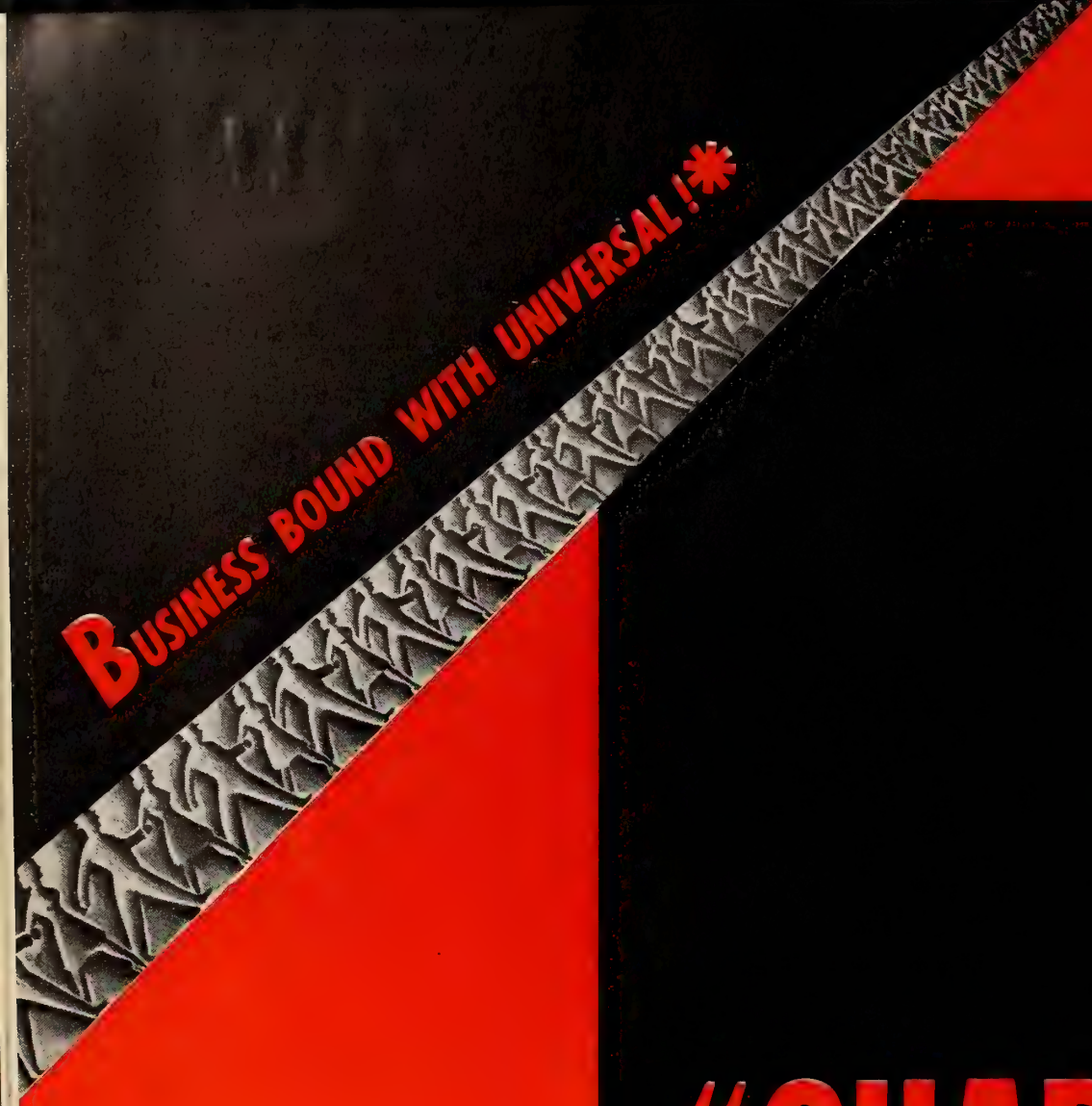
MATTY FOX, Universal vice-president, executive assistant to Nate Blumberg and Universal Studio associate of Cliff Work, was born in Racine, Wis., in 1911. He started in the industry as an usher at the tender age of 10 years, working up through the various stages of doorman, assistant manager and manager until he reached the age of 14. After two years in Milwaukee as a booker for Tiffany-Stahl Productions, Matty returned to Racine and against became a theatre manager. Then back again to the Riverside in Milwaukee.

In 1931 Matty Fox stormed Broadway and joined forces with Skouras Theatres, first as manager of the Rivoli, Hempstead, and then the Academy of Music. George Skouras made Fox his assistant and the film buyer for Skouras Theatres. He joined Universal on Dec. 1, 1937.

BUSINESS BOUND WITH UNIVERSAL! *



* *How that Company has come along!*



The New

Edgar

Charlie

in

"CHARLIE Mc

with

ROBERT CUMMINGS

John Sutton • Edgar

Original Story by
Robertson White and Darrell Ware

Screenplay by
Edward Eliscu, Harold Shumate,
and Richard Mack

Universal's XMAS Picture that will spread box-office cheer all through the New Year . . .
NOW AVAILABLE!

Universal Presents

BERGEN McCARTHY

and **MORTIMER SNERD**

CARTHY, Detective"

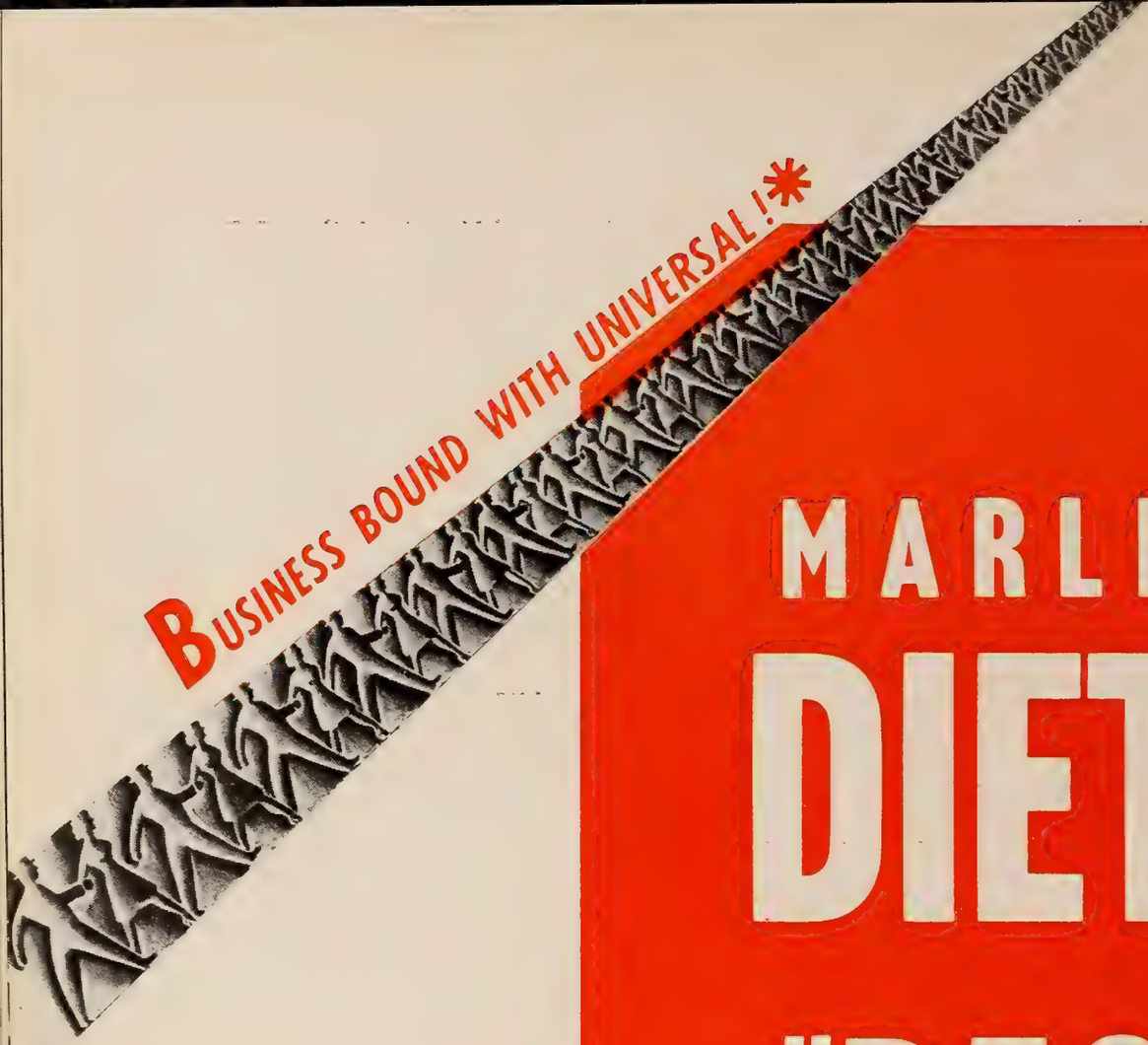
· CONSTANCE MOORE

Kennedy · Samuel S. Hinds



Produced and Directed by

FRANK TUTTLE



The New

MARLENE DIETRIC "DESTRY

CHARLES WINNINGER
IRENE HERVEY

Original screenplay by Felix Jackson, Gertrude Purcell, Henry Myers
Based on the novel by Max Brand

A JOE PASTER

Here's your YIPPEE New Year Picture . . . Prints now in your Universal Exchange!

NATIONAL RELEASE DECEMBER 29th!

Universal presents

and JAMES

H·STEWART

in

RIDES AGAIN"

with

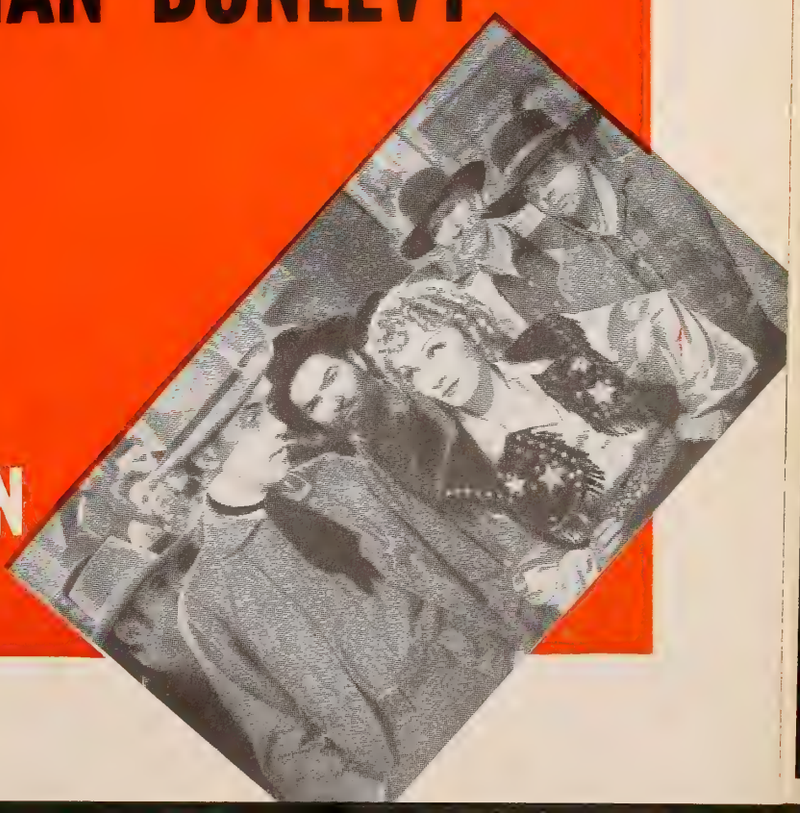
· MISCHA AUER · BRIAN DONLEVY

and **UNA MERKEL**

Directed by **GEORGE MARSHALL**

Produced by **JOE PASTERNAK**

NAK PRODUCTION





FAMOUS

DOUGLAS

FAIRBAN

"GREE

JOHN HOWARD · AL
VINCENT PRICE

Directed by JAMES WHALE
Produced by HARRY EDINGTON

A JAMES W

The under-current of love between a girl and seven men, in the face of almost unimaginable adventure!

NATIONAL RELEASE JANUARY 26th!

PRODUCTIONS *presents*

JOAN

KS, JR · BENNETT

in

N HELL"

with

AN HALE · GEORGE BANCROFT

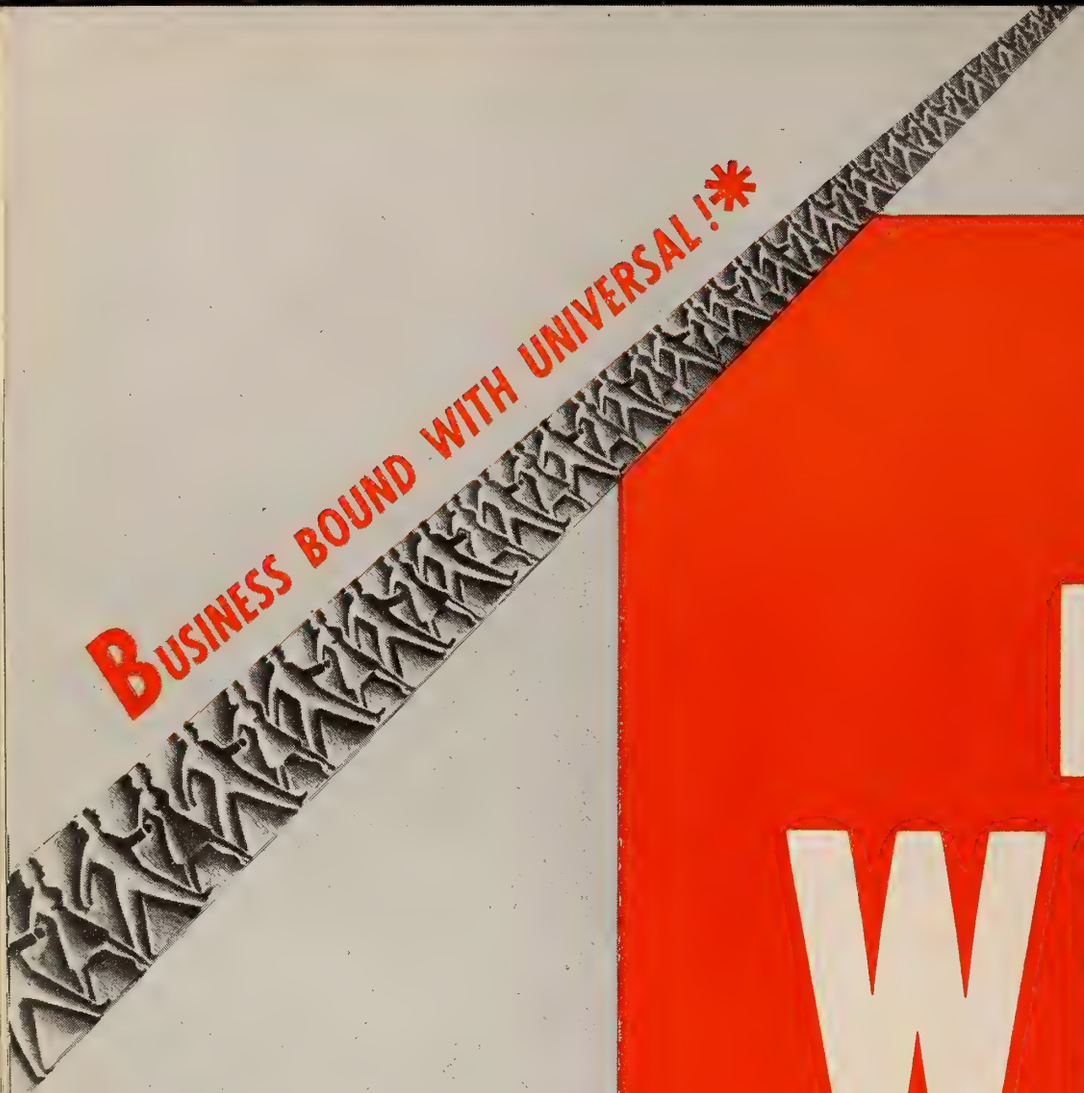
and **GEORGE SANDERS**

Original story and screenplay by FRANCES MARION

A NEW UNIVERSAL PICTURE

HALE PRODUCTION





The New

MAE WEST

"My Little

Joseph CALLEIA · Dick HAMILTON

Directed by

EDWARD CLINE

NATIONAL RELEASE — AND COUNTRYWIDE PANDEMONIUM AT THE BOX OFFICE ON FEBRUARY 9th!

Universal presents

W. C. FIELDS

in

Chickadee"

with

FORAN · Anne NAGEL · Margaret
and George MORAN

Produced by

LESTER COWAN



BUSINESS BOUND WITH UNIVERSAL!*

The New Universal presents

"The INVISIBLE MAN RETURNS"

with

SIR CEDRIC HARDWICKE
VINCENT PRICE · NAN GREY · JOHN SUTTON *and*
CECIL KELLAWAY

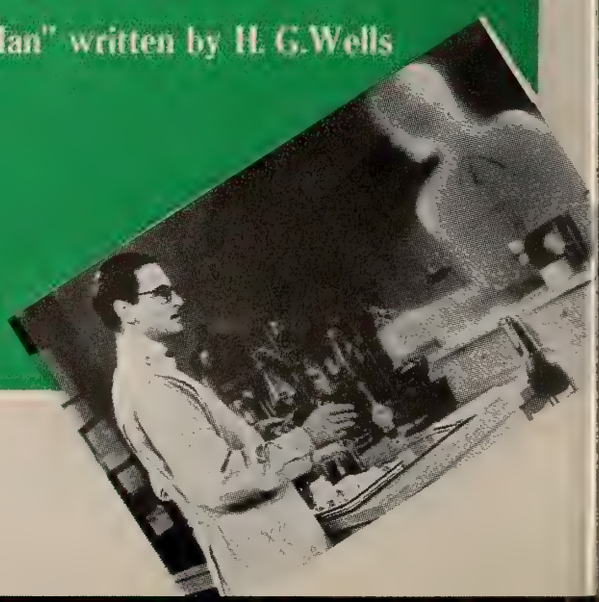
Story suggested by "The Invisible Man" written by H. G. Wells

•

Directed by
JOE MAY

•

Associate Producer
KEN GOLDSMITH



He returns by box-office demand!... To revive the most profitable character in film annals!

NATIONAL RELEASE JANUARY 12th

Guide 'U' Destinies

SAMUEL MACHNOVITCH, treasurer of Universal Pictures, was born in Odessa, Russia, July 31, 1894, educated at the City College of New York and entered pictures with the Pathe Exchange as an accountant in 1910. He functioned as cameraman, chief accountant, general auditor and finally as comptroller with the Pathe Company in a career of steady advancement for almost 20 years. Later, he was affiliated with Columbia and following that was treasurer of Educational Pictures.



PEYTON GIBSON, secretary and treasurer of Universal Corp. and secretary of Universal Pictures Co., Inc., and all its subsidiaries, was born in Paris, Ill., July 21, 1898. He attended Bordentown Military Institute and served in the A. E. F. as second lieutenant in the air corps. He is a major in the U. S. Reserve Air Service. Gibson is assistant secretary and assistant treasurer of Standard Capital Co.



F. J. A. McCARTHY, Universal's eastern division sales manager, advanced to his present post from Universal's Boston exchange, where he had been manager. He is a New Englander, born in Somerville, Mass., a Boston College and Harvard graduate and a World War veteran. McCarthy entered pictures with Fox, becoming Buffalo office manager and Pittsburgh branch manager. Then he became associated with Paramount as special repreentative in Buffalo.



W. J. HEINEMAN, Universal's western sales manager, has more than 20 years of selling behind him. Born Sept. 9, 1899, at Athens, Wis., Heineman entered the picture business in 1918, serving first with Pathe and afterward with First National and Warner Brothers. In 1925, he joined Universal as San Francisco short subject sales manager. Later he became Butte branch manager and Salt Lake City manager, returning to San Francisco as manager in 1927. He headed the western district from 1930 to 1938, then transferred to New York as western sales manager.



ADOLF SCHIMEL, attorney for Universal, began his association with the company on his 26th birthday, Sept. 1, 1925, and has been the firm's legal representative ever since. He was born in Vienna, Austria, Sept. 1, 1899, graduated from the City College of New York in 1920 and from Harvard Law School in 1923. He was associated with Siegfried F. Hartman before his connection with Universal. He is a member of the New York Bar Association.



LEO ABRAMS, Universal's short product sales manager, has been associated with the company during his entire film career of more than two decades. He began with Universal in March, 1917. In December, 1927, he was appointed manager of the St. Louis exchange. On Aug. 25, 1928, he was named Kansas City exchange manager. In December, 1929 he became manager of Big U in New York City. He was born in Granville, N. Y., educated at Granville High School and at New York University.



JAMES J. JORDAN, assistant to the sales managers of Universal Pictures, has been connected with the industry for 17 years, 13 of them with the one company. He joined Universal Pictures in 1926 and has been with it ever since. Prior to his present affiliation, he served under the Pathe banner for three years, followed by one year with Associated Exhibitors. Born May 14, 1905, he attended Our Lady of Grace Grammar School and St. Peter's Prep.



THOMAS MEAD, business manager and assignment editor of Universal Newsreel, quit reporting the news in print to report it in film. Mead was assistant New York correspondent for the Chicago *Daily News* before joining Universal in 1932. His first Universal post was head of the New York newsreel office. Later he was made assistant to Charles E. Ford, newsreel editor.



JOSEPH O'BRIEN, editor of Universal Newsreel, "Stranger Than Fiction" and "Going Places" with Graham McNamee, joined Universal Newsreel as film editor in 1932, taking his present post in 1938. Before that he was a cameraman and film editor with Fox, Hearst and Pathe News, worked on war material for Kineto Co., U. S. Government, 1920-'27, and on color for Paragon Laboratories, 1919-20. His first film job was with American-Biograph.



JAMES D. MILLER, head of Universal's print and laboratory department, has been a motion picture man practically since his school days in Texas. After class hours he used to stick up posters for his home town exhibitors. After graduation from Clarendon College he managed two theatres in the New Mexico towns of Belin and Mountain Air. In 1929, Miller started work for Universal.



ANDREW J. SHARICK, studio sales contact, Universal Pictures, was born in Darien, N. Y., July 28, 1899. Law studies at the University of Buffalo, newspaper work and extensive theatrical press agentry preceded his entrance into picture business. Publicity work for L. J. Selznick for four years was followed by 12 years as exploiteer in the field for Universal. The company then appointed him its Charlestown, W. Va., city theatre manager, after which he was Universal's exploitation director and accessory manager.



F. THOMAS MURRAY, manager of branch operations for Universal Film Exchanges, Inc., formerly was a booker, salesman and New York branch manager for M-G-M. He managed Paramount's Albany and Brooklyn branches, and was film buyer and executive assistant of the Century Circuit. Murray studied at New York Law School, and has served as president of the N. Y. Film Board of Trade.



LARNEY GOODKIND, Universal's eastern story editor and talent scout, was an actor, director, writer, music critic and radio production manager before entering pictures with Universal in 1938. Originally assistant to Marshall Grant, he succeeded his department head when Grant went to Universal's Hollywood studio. Goodkind was born in Yonkers, N. Y., Oct. 25, 1908. He studied piano on a Juillard Foundation Scholarship after attending high school. College play writing courses preceded stage, music and radio work.



CLARENCE C. MARGON, Latin-American supervisor for Universal Pictures, entered the film industry from the post of secretary to the Panama Canal Government from 1914 to 1921. He became associated with Paramount in the latter year. He was Paramount sales manager of the Spanish division in New York. From 1932 to 1939, he was Columbia's South American general manager and then joined Universal. He is a New York University graduate, born in New York City, June 16, 1890.



FORTUNAT BARONAT, foreign publicity director and foreign titles editor for Universal, was born in Barcelona, Spain, Nov. 23, 1902. He graduated from Barcelona University, went into newspaper work and was New York correspondent for numerous Spanish publications. He wrote feature stories and became editor of the Spanish magazine, *Cultura.* Then Baronat edited Paramount's South American exhibitors' monthly and later wrote publicity for United Artists, leaving that post to assume his present duties with Universal.



Universal Gives Star Value Bonus

Despite the fact that Universal issued what it thought to be one of the strongest lineups in its history at the announcement of the current year's program, the delivered product even exceeded the promise, especially in star value. Here are a few of the star "bonuses" delivered (or coming) but not originally promised: Mae West, Marlene Dietrich, Bob Burns, Charles Boyer and Loretta Young.

NATE BLUMBERG
UNIVERSAL ISSUE

Keep up the good work
Nate, we're back of you

JOE PASTERNAK
HENRY KOSTER

***The* EXHIBITOR MAN**
***The* EXHIBITOR COMPANY**

NATE BLUMBERG
UNIVERSAL ISSUE



MINE TOO,

Deanna

The EXHIBITOR MAN

The EXHIBITOR COMPANY

NATE BLUMBERG
UNIVERSAL ISSUE

To work toward a worthwhile goal is *COMMENDABLE.*

To reach that goal, fairly and honorably is an *ACHIEVEMENT.*

Nate Blumberg, that is your distinction —*WE HONOR YOU FOR IT.*

CONSOLIDATED FILM INDUSTRIES INC.

***The* EXHIBITOR MAN**
***The* EXHIBITOR COMPANY**

NATE BLUMBERG
UNIVERSAL ISSUE

TO NATE BLUMBERG AND NEW UNIVERSAL
OUR BEST WISHES FOR SUCCESS

FOX WEST COAST THEATRES
CHARLES P. SKOURAS

FOX WEST COAST THEATRES OF NORTHERN CALIFORNIA
ARCH M. BOWLES

FOX INTER-MOUNTAIN THEATRES
RICK RICKETSON

FOX MIDWEST AMUSEMENT CORPORATION
ELMER C. RHODEN

FOX WISCONSIN AMUSEMENT CORPORATION
HAROLD J. FITZGERALD

EVERGREEN THEATRES CORPORATION
FRANK L. NEWMAN

NATIONAL THEATRES AMUSEMENT CORPORATION

SPYROS P. SKOURAS

***The* EXHIBITOR MAN**
***The* EXHIBITOR COMPANY**

U. S. Sales Up $4,000,000!

Scully Explains Steady Growth

By SHERWIN A. KANE

AGAIN of more than $4,000,000 in domestic film sales is the accomplishment of the new Universal sales organization during the past two years under the direction of William A. Scully, Universal vice-president and sales head.

Scully declines to take credit for the marked increase in sales, preferring to distribute it generously among Universal producers, the sales force in the field, his aides in the home office and exhibitor cooperation.

The gains, he points out, would not have been possible without better product, in the first place, and better deals with exhibitors for the better quality pictures. The company not only increased the number of its exhibitor accounts during the past two years but was able as well to make better deals and obtain a larger number of percentage deals than before.

Exhibitor Good Will

Scully points out that Universal always has enjoyed the good will of exhibitors. He began his new work with the company by solidifying the position it held with them and insisted upon a policy for his field organization of fair-dealing with exhibitors. Customers were invited to bring complaints to branch managers or district managers, if necessary, for discussion. Frequent adjustments are made as a result of these discussions.

Thus, with pictures of improved quality and exhibitor confidence, the new Universal regime early in its career was able to realize immediate financial improvement.

Testimonal to Blumberg

Added to these factors this year was the remarkable and spontaneous exhibitor testimonial drive for Nate J. Blumberg, Universal president, which netted a large increase in accounts and spot bookings. The current year's record, according to present indications, will show a 25 per cent increase in deals closed this year over last and an 18 per cent increase in billings.

The company's operating policy in relation to its field sales representatives is designed to give them a sense of security in their jobs and confidence in the company, Scully said. Aiding him in this, in addition to countless other sales responsibilities, are F. J. A. McCarthy, Universal's eastern sales manager for the past nine years, and William J. Heineman, a west coast sales executive for Universal for the past 15 years, who was made western sales manager by Scully last year.

Universal begins the new calendar year with some of its best product in months completed and release dates set two months in advance.

To honor Scully's sales leadership at Universal for the past two years, a four months sales and bookings drive continuing from January through April has been designated for him.

Flexible Entertainment Keynote of 'U' Success

IN planning its production, Universal has a different theory than Marie Antoinette, who advised her starving subjects to eat cake if they didn't have bread. Nate Blumberg has a favorite watchword which, though it may have an Antoinette sound, is a far cry from that famous queen's advice. Nate says: "Don't feed 'em cake when it's bread they're after, but if they're tired of bread be sure to have plenty of cake on hand." Which is a Blumbergian way of stating his favorite theory: a good showman keepes his entertainment flexible enough to stay abreast of the public taste.

In its 1939-'40 program Universal has already indicated a flexibility that was responsible for the marked improvement in the company's 1938-'39 output. And the season has really just begun. If Universal runs true to form they'll pull more than one surprise out of the hat before Aug. 31, 1940. The company can do this by not overloading on commitments—stars, stories, producers or directors.

To start its season, Universal offered a pleasant surprise in 10-year-old Gloria Jean, whose "Underpup" more than lived up to its advance ballyhoo. Produced by Joe Pasternak, directed by Richard Wallace, "The Underpup" established Gloria Jean as a star. Universal and Pasternak smartly surrounded the new girl with such expert assistants as Robert Cummings, Nan Grey, C. Aubrey Smith, Beulah Bondi, Virginia Weidler, Billy Gilbert. With Gloria Jean established, Universal is taking unusual care to prepare the right sort of vehicle for her next screen appearance. That vehicle is to be announced shortly. Out of "The Underpup" also came two boys who immediatelv caught the public fancv and for whom Universal plans great things—the "Katzenjammers" Billy Lenhart and Kenneth Brown.

Youthful Entertainment Knack

UNIVERSAL seems to have a knack of providing the unusual and the successful in youthful entertainment. There is, of course, the one and only Deanna Durbin, whose "First Love" (produced by Joe Pasternak and directed by Henrv Koster) is the sixth of the Durbin hits. "First Love" introduced two new leading men—Robert Stack and Lewis Howard; brought Leatrice Joy back to the screen; continued to foster the careers of Helen Parrish, Eugene Pallette, Katherine Howard, Charles Coleman and others.

At the moment Deanna is recording songs for her next production "It's a Date" (produced by Joe Pasternak, directed by William Seiter) which will be before the cameras shortly. The second of the 1939-'40 Durbin productions is scheduled for February production, with Charles Boyer as her co-star—unless the European struggle blocks Boyer's activities. If so, Joe Pasternak has another and equally important property ready and waiting for Miss Durbin.

Another of Universal's successful "young" pictures this season is "Two Bright Boys," co-starring Jackie Cooper and Freddie Bartholomew with a supporting cast that includes Melville Cooper, Dorothy Peterson, J. M. Kerrigan and Alan Dinehart. Joseph Santley directed: Burt Kelly was associate producer.

And speaking of the younger element—there is, of course, the world's youngest—Baby Sandy, discovered in the Crosby opus, "East Side of Heaven," starred in "Unexpected Father" and co-starred in the first of her 1939-'40 productions, "Little Accident," with Hugh Herbert. "Little Accident" was produced and directed by Charles Lamont, and important in the supporting cast were Florence Rice, Richard Carlson, Edgar Kennedy, Etienne Girardot and Joy Hodges. Sandy will star in at least one or two more Universal productions during the season.

Two Western Backgounds

TWO top productions with a western background will appear on the program these next few months. The first is "Destry Rides Again," produced by Joe Pasternak, directed by George Marshall and co-starring Marlene Dietrich and James Stewart. Important in the supporting cast are Charles Winninger, Mischa Auer, Brian Donlevy, Irene Hervey, Una Merkel, Allan Jenkins, Warren Hymer and Billy Gilbert. The other, "My Little Chickadee," stars Mae West and W. C. Fields, with Joseph Calleia, Dick Foran, Anne Nagel and Margaret Hamilton in the cast. Eddie Cline is directing what looks to be one of Universal's surprise "showman" hits.

Fields' erstwhile "enemy," Charlie McCarthy, is with his boss, Edgar Bergen, in "Charlie McCarthy, Detective," which is currently being released. Charlie's current hate, Mortimer Snerd, is of course important in the cast. Others include Robert Cummings, Constance Moore, John Sutton, Louis Calhern, Edgar Kennedy, Samuel S. Hinds and Harold Huber. Frank Tuttle is directing with Jerry Sackheim as associate producer.

Last season, Bing Crosby's "outside" picture was done for Universal, and "East Side of Heaven" is a pleasant and profitable memory for Bing, for Universal and exhibitors. So it is no surprise to find Bing again, doing his current "outside" picture for Universal—this time "If I Had My Way," scheduled to start about Jan. 15, with David Butler directing.

For those who don't hanker for young stars, novelty, comedy, song or "westerns," Universal is providing the "bread" of drama in its 1939-'40 schedule. First of the bigger dramas was "Rio," directed by John Brahm and starring Basil Rathbone, Victor McLaglen, Sigrid Gurie, Robert Cummings, Leo Carrillo and Billy Gilbert. A current dramatic success is Rowland V. Lee's "Tower of London," with Basil Rathbone, Boris Karloff, Ian Hunter, Barbara O'Neil,

(*Continued on page 26*)

'U' Product Covers World

Enjoys Foreign Market Goodwill

UNIVERSAL was the first American film company to venture into the foreign market. Offices had been established in Europe and other parts of the world long before the outbreak of the first World War.

In the intervening years, the company's foreign department has maintained and extended its world distribution system to the point where now there is no territory in the world where Universal product has not been placed.

The company enjoys the good will of exhibitors in foreign markets as it does here. Policies of the foreign department always have been shaped to the end that a customer, no matter where he may be located, has access to a company representative with either the authority to adjust differences or the facilities for directing worthy complaints to the proper executive.

Congratulations from Brazil

The recent buying and booking testimonial sponsored by exhibitors for Nate J. Blumberg, Universal president, although it was originated by American theatremen, was participated in by exhibitors throughout the world. The response from foreign markets was a testimonial to the good will which exhibitors hold for the company which he heads.

One of the highlights of the entire testimonial originated with Brazilian exhibitors. At the outset of the drive and on their own initiative, scores of exhibitors in the South American republic forwarded congratulatory letters to Blumberg, appended to each of which was a list bearing the days of October, November and December which each had set aside as Universal playdates and opposite each day was the title of the Universal picture which would be played.

Foreign Staff Strengthened

In recent years Universal's foreign staff has been strengthened in manpower under the direction of Joseph H. Seidelman, vice-president of Universal. Despite the changes which have been made, there are still, sprinkled throughout the company's world-wide organization, men who have been in the continuous employ of Universal for 20 years or more.

Under Seidelman's direction, Universal's foreign business has experienced a growth equal to 28 per cent over any previous high in the history of the company. Seidelman attributes much of the growth to improved picture quality and to the popularity in foreign fields of some of the stars who have been under the Universal banner in recent years. Outstanding among these, he says, is Deanna Durbin whose popularity in foreign markets proportionately, exceeds her popularity here.

The company's British distribution is handled by General Film Distributors under a special arrangement entered into four years ago. N. L. Nathanson distributes for the company in Canada. Elsewhere, it operates its own foreign offices or retains special representatives.



NATE BLUMBERG
UNIVERSAL ISSUE



EASTMAN

Plus-X

Super-XX

Background-X

Instantly accepted, universally approved because of their special features, photographic quality, general dependability.

●

J. E. BRULATOUR, Inc.
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FORT LEE CHICAGO HOLLYWOOD

The EXHIBITOR MAN
The EXHIBITOR COMPANY

NATE BLUMBERG
UNIVERSAL ISSUE



JE VOUS SALUT
CONGRATULACIÓN
Congratulazione
מזל טוב
Comʒãɪʇe
μαʎάριομός
LYCKONSKNINGS
Поздравляю
恭祝

CONGRATULATIONS

to

The Boy Who Made Good

from

NATIONAL *Screen* SERVICE

.. PRIZE BABY OF THE INDUSTRY

The EXHIBITOR MAN

The EXHIBITOR COMPANY



NATE BLUMBERG
UNIVERSAL ISSUE



To NATE BLUMBERG

CONGRATULATIONS ON A FINE JOB

WILLIAM A. SEITER

To NATE BLUMBERG

Congratulations
and best wishes...

RKO THEATRES

The EXHIBITOR MAN
The EXHIBITOR COMPANY

Ads Assure Sales Power

Success Crowns 'U' Experiment

By JOHN JOSEPH

Director of Advertising and Publicity of Universal Pictures

ADVERTISING is something like the husband of platitude who described his wife as a female "he couldn't get along with—and couldn't get along without." It's the one endeavor that can't be proved by a column of figures. Even good advertising seldom sells a bad picture, but bad advertising can do an awful lot of harm to a good picture. I know—because I've achieved both.

As any and all picture advertising departments do, Universal's advertising men must sell two marktes: the exhibitor and the public. Since Universal neither owns nor operates theatres, the exhibitor angle of Universal selling is unusually important. Through the trade papers, via our sales force and by direct contact with exhibitors Universal makes every attempt to present sincerely and honestly the facts, rather than the fancies, about Universal productions—current, in production and planned.

Key-City Folio

Almost two years ago we invented a little gadget that exhibitors seem to like. We call it a key-city folio, although the demand for it now extends beyond the keys. Prepared for top pictures, it reaches exhibitors about a month before release date. In it are stills, stories, synopsis, advertisements, campaign plans—everything to inform the exhibitor about the coming picture and materials to equip him for his campaign, and everything different from the press book.

In addition to that it also has been the Universal policy to create and distribute as many times as required supplemental sections to the regular press books as new and unusual selling ideas develop on a picture while it is being exhibited.

Selling Public Is Tough

To sell the public is, of course, a bigger and tougher job. More than any other producing company, Universal centralizes its advertising, publicity and exploitation at the studio—an experiment begun in June, 1938, and to date a highly successful venture. With a few important exceptions magazines, syndicates, radio and any other media of selling theatre goers are gathering the bulk of their material in Hollywood. To marshal the heaviest advertising guns on the Hollywood Line seems to be the most effective way of selling Universal pictures, bulwarked by a smaller corps of sturdy men on the New York Front.

Thus through every possible advertising source theatre owners and theatre goers are constantly reminded of and (we hope) sold Universal attractions. To achieve any measure of success the process must be endless, attack must be constant, because it is repetition plus ingenuity that sets up the boundary between good and bad advertising.

Flexible Entertainment Keynote of 'U' Success

(*Continued from page 22*)

Nan Grey, Vincent Price and John Sutton in the important roles.

THE first of the three proposed Famous Productions, presented under the supervision of Harry Edington, will make its bow early in the year. This is "Green Hell," directed by James Whale, co-starring Douglas Fairbanks, Jr., and Joan Bennett, with a supporting cast including John Howard, Alan Hale, George Bancroft, Vincent Price and George Sanders. Edington will shortly announce the titles, stars, casts and directors of his two succeeding Famous Productions, one of which will star Cary Grant.

'Mikado' Noteworthy

Another current dramatic success carrying the Universal trademark is "The Big Guy," co-starring Victor McLaglen and Jackie Cooper, with Ona Munson, Peggy Moran and Ed Brophy. Arthur Lubin directed; Burt Kelly was associate producer. Kelly is now preparing the Hawthorne classic, "The House of Seven Gables," which goes before the cameras very soon. The cast and director will be announced shortly.

Before the season has ended Universal accounts will be booking a production starring Irene Dunne and another starring Margaret Sullavan. Final selection of scripts has not been made, but with stars of this importance it is safe to assume that scripts, directors, producers and supporting players will all be top-notch.

A noteworthy event of the present season has been "The Mikado," produced in England with Kenny Baker and stars of the D'Oyly Carte company and its chorus. Done in color, directed by Victor Schertzinger, produced by Geoffrey Toye, this is the first complete and faithful filming of a Gilbert and Sullivan operetta.

Names Have Been Stressed

The revival of "Frankenstein" and "Dracula" inspired, last season, the production of another successful thriller—Rowland V. Lee's "Son of Frankenstein." For 1939-'40, Universal will step forward with "Friday the Thirteenth," co-starring Boris Karloff and Bela Lugosi and scheduled to start soon after the first of the year. Already completed is "The Invisible Man Returns," a sequel to to famous "Invisible Man." Joe May directed and important in the cast are Sir Cedric Hardwicke, Vincent Price, Nan Grey, John Sutton, Cecil Kellaway, Ivan Simpson, Forrester Harvey and Alan Napier. Ken Goldsmith was associate producer.

Among its proposed productions in a somewhat similar bracket Universal has announced "Victoria Docks at Eight," "The Electric Man" and "The Return of the Sheik." No final commitments have yet been made as to stars, directors or producers.

For its smaller-budget productions, Universal has been stressing name casts with action or exploitation titles and approaches. Billy Halop and Huntz Hall of the "Dead End Kids" were teamed with the "Little Tough Guys" for a successful picture of this type, "Call A Messenger." Arthur Lubin directed, Ken Goldsmith was associate producer, and in the cast were Mary Carlisle, Larry "Buster" Crabbe, Robert Armstrong, Anne Nagel, Victor Jory and El Brendel. Another story similar in tone is on the waiting list for production this season.

Checking among exhibitors Universal discovered there was a definite demand for musicals. Two are already in circulation with great success. They are "Hawaiian Nights," directed by Albert S. Rogell, with Max H. Golden as associate producer. In the cast are Johnny Downs, Constance Moore, Mary Carlisle, Eddie Quillan, Matty Melneck and his orchestra, Sol Hoopii's Hawaiian band, Etienne Girardot, Samuel S. Hinds, Thurston Hall.

Musicals and Melodrama

The other musical is "Laugh It Off," produced and directed by Albert S. Rogell, with Constance Moore, Johnny Downs, Marjorie Rambeau, Edgar Kennedy, Hedda Hopper, Janet Beecher, Cecil Cunningham and Horace McMahon heading the cast. A third, tentatively titled "Road to Romance," is before the cameras, with Charles Lamont directing and Ken Goldsmith as associate producer. In the cast thus far are Peggy Moran, Tom Brown and Juanita Quigley. There will be one or two more musicals for the 1939-'40 season.

The program includes melodrama, of course. Typical examples are these: "The Witness Vanishes," directed by Otis Garrett, produced by Irving Starr, with Edmund Lowe, Wendy Barrie, Bruce Lester, Walter Kingsford; "One Hour to Live," directed by Harold Schuster, George Yohalem, associate producer, with Charles Bickford, Doris Nolan, John Litel, Samuel S. Hinds, Paul Guilfoyle, Jack Carr; "Missing Evidence," directed by Phil Rosen, with Preston Foster, Irene Hervey, Chick Chandler, Inez Courtney and Noel Madison; "Framed," directed by Harold Schuster, Ben Pivar, associate producer, with Constance Moore, Frank Albertson, Robert Armstrong, Jerome Cowan, Sidney Blackmer and Barbara Pepper; "Honeymoon Deferred" (tentative title), directed by Lew Landers, Ken Goldsmith, associate producer, with Edmund Lowe, Margaret Lindsay, Elizabeth Risdon, Joyce Compton, Chick Chandler and Anne Gwynne. "The Devil in Uniform" has been announced as the next in this class to start, but casting has not been completed.

Five With Arlen and Devine

Universal's series co-starring Richard Arlen and Andy Devine can be definitely listed in the "success" columns. Thus far five have been completed, all under associate producer Ben Pivar and directed by Christy Cabanne: "Mutiny on the Blackhawk," with Constance Moore, Noah Beery and Guinn Williams; "Tropic Fury," with Beverly Roberts, Samuel S. Hinds and Lou Merrill; "Legion of Lost Flyers," with Anne Nagel, Ona Munson, Guinn Williams and William Lundigan; "Man From Montreal," with Anne Gwynne, Kay Sut-

(*Continued on page 29*)

Exhibitors Fix Policies

Their Box-Office Ideas Hold Sway

THAT exhibitors might well improve the box-office caliber of motion pictures was a philosophy long expressed but seldom acted upon—until Nate Blumberg assumed the presidency of Universal. In the first stages of reorganization Blumberg himself spent months at Universal City. Thereafter Cliff Work was appointed vice-president and general manager of the studio and Matty Fox, Blumberg's executive assistant, made the studio his headquarters. There followed, in succession, men with plenty of exhibitor blood in their veins—Milton Feld, Jack Gross, Milton Schwarzwald and several others.

At the time of their entrance upon the scene not one of these well known exhibitors made a grab for the uneasy crown that rests upon a producer's head. On the contrary, all made it quite plain that none knew better than they themselves that they were not production experts. Their office was to guide production from an exhibitor viewpoint and thus, they hoped, to improve the box-office returns.

Exhibitors Watch, Advise

Work, Fox and their associates have followed carefully along those lines and, they state, will continue to do so. A study of the Universal City personnel proves their point. Certain consolidations of duplicated effort were made, a few replacements were in order, but essentially the creators of motion pictures who were there before are still in their important posts at the studio.

Thus the "Exhibitor Company" is not a group of exhibitors turned producers but a group of exhibitors who watch, advise, suggest, direct—from the exhibitor viewpoint. In the stress and concentration of creative effort it is easy, in Hollywood, to lose tight contact with "what the public wants" as reflected from day to day at the national box-office. Particularly when, as in the case of Universal, there are no affiliated theatre operating companies to provide quick and constant checks.

Constant Operation Check

Blumberg's wide exhibitor contacts plus similar contacts enjoyed by Work and Fox, provide this constant check in the operation of the studio. A cast, a title, a star, a trailer, an advertisement, a story—anything and everything is inspected by the exhibitor eye. Work and Fox check with Blumberg on any of these matters: Blumberg checks directly with exhibitors everywhere.

Exhibitors are frequent and welcome visitors at Universal City, not merely to "see how movies are made" but to meet and talk with the Universal producers, writers, directors and performers. Exhibitor comments and reports are passed along to Universal's producers so that in its operation Universal's studio is indeed the "exhibitor company," and not merely a slogan for selling purposes.

NATE BLUMBERG
UNIVERSAL ISSUE

Congratulations and Best Wishes

To NATE BLUMBERG

from

H. E. EDINGTON – F. W. VINCENT, Inc.

FRANK W. VINCENT, President

BEST WISHES, NATE

GEORGE MARSHALL

The EXHIBITOR MAN

The EXHIBITOR COMPANY

NATE BLUMBERG
UNIVERSAL ISSUE

I Am Proud to Be
With Universal

JACK OTTERSON

My Sincere Best Wishes

BURT KELLY

Congratulations
and
Best Wishes

KEN GOLDSMITH

to our friend

NATE BLUMBERG

who deserves all
the glory this
industry offers

Sam Rinzler **Louis Frisch**

***The* EXHIBITOR MAN**
***The* EXHIBITOR COMPANY**

WE, TOO
add our
congratulations
to
NATE
BLUMBERG
and
NEW UNIVERSAL
●
GILLIAMS & RUBIN, Inc.
225 West 39th St., New York, N. Y.

Congratulations
NATE
BLUMBERG
and
NEW
UNIVERSAL
ROBERT TELLER
SONS & DORNER
311 W. 43rd St.
New York, N. Y.

Our
Sincere Congratulations
to
NATE BLUMBERG
NEW UNIVERSAL
"and all the gang"
E. J. WARNER POSTER CO.
653 11th Ave. New York, N. Y.

CONGRATULATIONS
NATE BLUMBERG
AND
NEW UNIVERSAL
Michaelson Lithographing Co.
21 33rd Street Brooklyn, N. Y.

best wishes
NATE BLUMBERG
NEW UNIVERSAL
CONFORT AND COMPANY, INC.
305 Lafayette St., New York City

congratulations
NATE BLUMBERG
NEW UNIVERSAL
APCO PHOTO CO., INC.
250 W. 54th St., N. Y. C.

Vitality Enables Universal To Survive Many Ordeals

(*Continued from page 5*)

the purpose of the box-office and its customers—never has it engaged in sheer spending pyrotechnics for glory, the vanities of a prestige that the public could not be expected to buy.

Universal's pages are rich with the names of flamboyant, adventuring, creatively minded personalities—Edwin S. Porter, Florence Lawrence, Mary Pickford, Joe Brandt, Jack Cohn, Mark Dintenfas, Bill Swanson, the Brothers Cochrane; belligerent Patrick A. Powers, the dramatically blithe Lewis J. Selznick, Irving Thalberg, just to name a few whose names flit across a moment's flash of the screen of memory.

Company Has Ups and Downs

The ups and downs of Universal through the years have recorded like the whole fever chart of the screen, wide swings, deep valleys and high peaks. Long it was well near routine for the company to go into the doldrums of decline, then abruptly, almost miraculously to emerge with a hit production that was to redeem losses and start a new period of effulgence—among such pictures to be remembered now were "The Kaiser, Beast of Berlin," and again "The Hunchback of Notre Dame." Like a Griffith melodrama, there seems always to have been "relief on the way."

The company has been as whimsical as the customers. Its policies were all the policies in the market. When the feature era dawned it made "program" and insisted on it, meanwhile making features and selling them against the program. When sound came it was dubious, insistent on the abiding merits of the silent picture—and went into sound production on the gallop. Through such years Universal had almost as many general managers and sales managers as it had actors.

Welcomes and Farewells

It was customary for the friends of a new general manager to start immediately organizing his farewell dinner the day after the cocktail party which announced him. All this seemed to make little difference to Universal. While the general managers were passing each other on the Twentieth Century or the White Star line business was going on as usual at the office.

That, it would seem, has some relation to that quality of vitality and elasticity—a capacity for meeting whatever turns up, when it turns up.

Flexibility Secret Of 'U' Production

(*Continued from page 26*)

ton and Reed Hadley; "Danger on Wheels," with Peggy Moran, Herbert Corthell, Mary Treen and Jerry Marlowe. Two more films co-starring Arlen and Devine will be delivered during the season.

The "streamline" westerns, starring Johnny Mack Brown and featuring Bob Baker and Fuzzy Knight, comprise another successful group of Universal productions. Five of these have been completed.

Henry MacRae, Universal's veteran and famous king of the serial makers, has completed three out of the four serials announced.

The new season also marked the advent of color for the Walter Lantz cartoons and the introduction of two new cartoon characters, Andy Pandy and Peterkin. Universal News, with Tom Mead and Joseph O'Brien as editors, continue to maintain its high standard.

Nate Blumberg An Exception to Rule

(*Continued from page 5*)

RKO. He had labored long and hard through a depression, receiverships and reorganizations to straighten out the RKO theatre situation. In fact, as he has several times during the past two years, Nate himself had similar and serious doubts when Universal first made its offer.

But coming as he did from the theatre field, knowing from personal experience how an exhibitor waits and waits for that "hit show," having stated publicly and privately (as any exhibitor has and does) that he believed the exhibitor approach could help Hollywood solve some of its production difficulties, Nate Blumberg decided to step into the Universal job. His success is an exciting highlight of the industry's 1938-'39 history.

Nate hails from the middle west, was born in Racine, Wis., on Feb. 3, 1894, and was raised and schooled in Racine. As a boy selling candy in local theatres he got his first taste of show business and liked it so well that it became his life's work.

When the Orpheum Circuit became a part of the Radio Corporation's ambitious RKO organization Blumberg took his first important step up, becoming manager for all RKO theatres in Chicago and west. So expert was his work that RKO moved him into its New York home office as assistant general manager for the entire circuit.

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SAMUEL COHEN

Mexico Notes Heavy Slump In Production

MEXICO CITY, Dec. 27.—Production this year will total 43 features, including three that are being completed and will be ready by Dec. 31. This is far short of the estimate of about 70 features that was made early this year. Labor trouble almost brought production to a standstill for several weeks last Summer.

Low production costs are believed to have attracted certain American independent producers to eye Mexican studios, for, says the Cinematographic Studios Workers Union, the American Independent Motion Picture Producers Association has asked it for data concerning the making of films in this country.

Mexican censors again have clamped down on pictures they consider to be religious propaganda with the prohibition of "La Reina de Mexico" ("The Queen of Mexico"), a five-reel film made here secretly in two weeks by a group of local Catholics, that tells the story of the apparition here in 1530 of Our Lady of Guadalupe, Mexico's patron saint.

The Mexican Government has dropped its sponsorship of the exhibition of Russian pictures, apparently because of its strong protest against the invasion of Finland.

Policemen are stationed in local film houses to enforce the new civic regulation against smoking in theatres. Smokers are at first warned. If they disobey, they are arrested and punished with fines of from $2 to $10 or two to five days in jail.

Mexican producers may obtain Government financial assistance as the Congressional tax committee has accepted for consideration a bill that provides exemption from an extra income tax, a levy of from 5 per cent to 10 per cent, on profits producers make from their films at home and abroad. This bill is expected to become a law in January.

To encourage better pictures, players and directors, the National Cinematographic Industry Association has organized an academy, similar in scope to the Hollywood Academy of Motion Picture Arts and Sciences, to award prizes to the best Mexican feature and short, actor and actress, director and scenarist, each year. Fernando de Fuentes, ace director, is president of the academy. The first awards are to be made at a ceremony in a local theatre in January.

The Mexican censors examined 136 pictures in November, of which 117 were American, six Mexican, six Argentine, four French, and one each Spanish, Italian and Russian. They passed 135 of these pictures, 133 without changes and one with minor modifications. The one picture forbidden was Italian.

Active film houses here now total 69 with the opening of the Cine Rialto, a 5,000-seat neighborhood house.

New York Review

"Entente Cordiale"

(Arcadia-Concord)

An excellent cast and dialogue embellished with a fine Gallic wit are the outstanding virtues of "Entente Cordiale," produced in France by Max Glass. Principally, however, the film is narrative, rather than dramatic, in structure, and it lacks emotional appeal.

Patrons who enjoy foreign films should like the uniformly high standard of acting set by those who portray roles well known in diplomatic circles at the time of the signing of the entente. Victor Francen as Edward VII, Gaby Morlay as Queen Victoria, Jean D'Yd as Joseph Chamberlain, father of the prime minister, Jacques Baumer as Clemenceau, and Jean Perier as President Loubet give interesting and vigorous interpretations of their roles.

The dialogue takes full advantage of the situations. There is a prediction, for example, by Chamberlain, the foreign minister, that his son, Neville, would never make much of a politician. The narrative starts with the Prince of Wales enjoying the night life of Paris against the wishes of his mother, Queen Victoria. The theme is concerned with Edward's successful efforts to end the Anglo-French disagreements in Africa and ends with a brief montage of England and France fighting as allies in the first World War. There is a minor romance of an English girl and a French journalist, but it does little to heighten the dramatic interest.

Running time, 110 minutes. "G."* EDWARD GREIF

**"G" denotes general classification.*

Holiday Slump Hits Theatres in Detroit

DETROIT, Dec. 27.—The tradition of a dull week in the theatre during the week before Christmas held true here with below average figures reported from all theatres. The Fox reported the heaviest gross — $11,000 — for "Tower of London" and "The Amazing Mr. Williams."

Estimated takings for the week ending Dec. 21:

"The Cisco Kid and the Lady" (20th-Fox)
"Those High Grey Walls" (Col.)
ADAMS—(1,700 (15c-40c) 7 days. Gross: $4,800. (Average, $5,000)
"Disputed Passage" (Para.)
"Fifth Avenue Girl" (RKO)
FISHER—(2,700) (15c-55c) 7 days. Gross: $4,700. (Average, $5,000)
"Tower of London" (Univ.)
"The Amazing Mr. Williams" (Col.)
FOX—(5,000) (20c-55c) 7 days. Gross: $11,000. (Average, $12,000)
"The Cat and the Canary" (Para.)
"Nurse Edith Cavell" (RKO)
MICHIGAN—(4,000) (15c-65c) 7 days. Gross: $9,000. (Average, $10,000)
"The Real Glory" (U. A.)
"Television Spy" (Para.)
PALMS—(3,000) (15c-50c) 7 days. Gross: $4,900. (Average, $5,000)
"Ninotchka" (M-G-M)
UNITED ARTISTS—(2,000) (15c-55c) 7 days. Gross: $9,000. (Average, $10,000)

Publicists of 'Wind' Are Glad It's Over

ATLANTA, Dec. 27.—E. B. Coleman, who, with William Hebert, was the man on the scene directly responsible for the success of the world premiere of "Gone With the Wind" and his assistants, Todd Ferguson and James Thames, are glad the first of the breeze has blown. The men worked under the direction of Howard Dietz, M-G-M head of advertising and publicity, and William Ferguson, director of exploitation for the company.

They are still in town winding up the necessary odds and ends and pasting up the press books, a big job in that all local papers printed more "Gone With the Wind" copy in the last few weeks than they have all film news during the first 11 months of the year.

Montreal Grosses Suffer Sharp Drop

MONTREAL, Dec. 27.—"Day-Time Wife" and Charlie Chan in the City of Darkness," double-billing at the Palace, collected an estimated $4,800, or less than 50 per cent of the average gross.

Estimated takings for the week ending Dec. 23:

"Each Dawn I Die" (W. B.)
"Kid Nightingale" (W. B.)
CAPITOL — (2,547) (25c-40c-55c-65c) 7 days, 2nd week. Gross: $4,300. (Average, $8,000)
"Remember?" (M-G-M)
"6,000 Enemies" (M-G-M)
LOEW'S—(2,800) (30c-40c-60c) 7 days. Gross: $4,000. (Average, $8,000)
"The Housekeeper's Daughter" (U. A.)
"The Man Who Dared" (Para.)
ORPHEUM—(919) (25c-35c-50c) 7 days, 3rd week. Gross: $1,800. (Average $5,000)
"Day-Time Wife" (20th-Fox)
"Charlie Chan in the City of Darkness" (20th-Fox)
PALACE—(2,600) (25c-40c-55c-65c) 7 days. Gross: $4,800. (Average, $10,000)
"Barricade" (20th-Fox)
"What a Life" (Para.)
PRINCESS—(2,272) (25c-35c-50c-65c) 7 days. Gross: $2,000. (Average, $6,000)

Tucker at $16,000 Indianapolis Best

INDIANAPOLIS, Dec. 27. — Orrin Tucker and his band on the stage and "Cafe Hostess" on the screen at the Lyric, took $16,000. Other houses were off.

Estimated takings for the week ending Dec. 22:

"Beware Spooks" (Col.)
APOLLO—(1,100) (25c-40c) 7 days. Gross: $2,100. (Average, $2,500)
"Allegheny Uprising" (RKO)
"The Flying Deuces" (RKO)
CIRCLE—(2,800) (25c-40c) 7 days. Gross: $4,700. (Average, $6,000)
"Tower of London" (Univ.)
"The Night of Nights" (Para.)
INDIANA—(3,200) (25c-40c) 7 days. Gross: $4,500 . (Average, $5,000)
"Intermezzo" (U. A.)
"Remember?" (M-G-M)
LOEW'S—(2,800) (25c-40c) 7 days. Gross: $5,700. (Average, $7,000)
"Cafe Hostess" (Col.)
LYRIC—(2,000) (25c-40c) 7 days. Stage: Orrin Tucker orchestra, featuring Bonnie Baker. Gross: $16,000. (Average, $8,000)

Theatre, Personnel Notes

Noble Takes Circuit

OKLAHOMA CITY, Dec. 27.—T. B. Noble, Jr., president of State Theatres, Inc., Oklahoma City, will assume the important position of general manager of the Westland theatre circuit at Colorado Springs, and will continue to manage State Theatres, Inc. Robert Pfotenhauer, now manager of the Chief in Pueblo, Colo., will become manager of the State, Oklahoma City and Noble will relinquish management to go to Colorado Springs to make his headquarters.

Arkansas House Damaged

CAVE CITY, Ark., Dec. 27.—The L. & L. Theatre here, owned by Walter Lee and Lawrence Landers, was damaged by fire. The loss was estimated at $1,100.

Reopen Ontario House

TORONTO, Dec. 27.—The modernized Orpheum has reopened at Sault Ste. Marie, Ont., as a Famous Players unit under the management of A. Hartshorn, formerly of Hamilton, Ont., giving the northern Ontario city its third active theatre.

Building Toronto Theatre

TORONTO, Dec. 27.—A start has been made on the construction of the Palace at New Toronto, an industrial suburb of Toronto, by I. Applebaum, the theatre to be ready late next Spring as an independent enterprise.

Reopen in Cincinnati

CINCINNATI, Dec. 27.—The 450-seat suburban Clifton, recently taken over by Mannie Marcus, Indiana circuit operator, has been reopened, after modernization, under the name of the Esquire. Patrons are given free inside parking for their cars at a nearby garage.

Plan Drive-In Theatre

ST. LOUIS, Dec. 27.—Bids have been taken on the erection of a "Drive-In Theatre" on the Manchester road outside the city limits here. The promoters are Mid-West Drive-In Theatres, Inc., of Boston.

To Build in Georgia

COLUMBUS, Ga., Dec. 27.—Plans for the construction of a modern theatre here, estimated to cost $150,000, have been set by Willis J. Davis, of Atlanta, personal representative of Lucas and Jenkins, Inc. The house will seat 2,000.

Open in Munford, Tenn.

MUNFORD, Tenn., Dec. 27. — The Munford has opened here. Costing $15,000, it is owned by H. N. Haddad and seats 400.

Manages Philadelphia House

PHILADELPHIA, Dec. 27. — Albert Garfield has been appointed manager of the News Theatre by William Goldman. Garfield replaces William Matteson, who has left the theatrical field.

Year's Radio Stars Picked; Charlie First

(Continued from page 1)

velopments during a crucial period. On the fateful Sunday in September when w[ar] was declared, all existing records f[or] pecial events coverage were shattered.

Following Bergen, Benny and Crosby in the "Champion of Champions" rating, in a triple tie for fourth place were Orson Welles, Alec Templeton and Kay Kyser. The latter two are newcomers to the top flight, as is Bob Hope, who ranked fifth.

Only First Five Listed

In accordance with the precedent set last year, only the first five are listed. Worthy of note, however, is a scattering of votes for three members of "Information, Please," John Kieran, Clifton Fadiman and Oscar Levant. President Franklin D. Roosevelt also drew some votes, with one editor remarking that the President had "the largest consistent audience, national and international."

In the highly competitive area of Hollywood radio entertainment, the Lux Radio Theatre again took top place as the Best Film Program of the year. In its sixth year of presentation, the Lux Radio Theatre strengthened its outstanding position by a better than three-to-one lead over its nearest competitor. Not only that, but it ran a close second in the classification of Best Dramatic Series.

Dance Bands Shift Spots

Greatest variation in standings over previous years came in the balloting for dance bands. Although Benny Goodman continued to lead the swing maestros, and Guy Lombardo's band repeated as the selection for the best popular radio orchestra, subsequent rankings showed marked changes. Glenn Miller's rapidly rising orchestra placed second among the swingsters and in a tie for third among popular bands. The recently retired Artie Shaw drew the third berth among the swing bands. In fourth place was Tommy Dorsey, while Bob Crosby, Larry Clinton and Kyser tied for fifth.

Kyser moved up to second place among the popular orchestras, with Wayne King, an addition to the list of champions, tied with Miller for third place. Andre Kostelanetz placed fourth and Horace Heidt, fifth.

Kyser's "Kollege of Musical Knowledge" quiz, together with the popularity of his band, earned him top rating for the Best Musical Program (Popular). "Your Hit Parade," with Mark Warnow's orchestra and Barry Wood, followed closely. Paul Whiteman was third, "Tune Up Time," with Kostelanetz, fourth, and Fred Waring's show, fifth.

Lux Program Leads

In the film programs and dramatic series, Lux led as the Best Film Program, Screen Guild was second, "Good News of 1940," third, Jesse Lasky's "Gateway to Hollywood," fourth, and the Silver Theatre, fifth.

In the Best Dramatic Series classification, "One Man's Family," was

(Continued on page 32)

Among Radio Champions of 1939



Jack Benny



Don Ameche



Bing Crosby



H. V. Kaltenborn

How 700 Editors Voted in Annual Poll

OPEN CHAMPIONS

Edgar Bergen (Charlie McCarthy)
Jack Benny
Bing Crosby
Alec Templeton, Kay Kyser, Orson Welles } tie
Bop Hope

FILM PLAYERS ON AIR

Don Ameche
Edward G. Robinson
Bing Crosby
Walter Huston
Bob Hope

FILM PROGRAMS

Lux Radio Theatre
Screen Guild Theatre
Good News of 1940
Gateway to Hollywood
Silver Theatre

DRAMATIC SERIES

One Man's Family
Lux Radio Theatre
Campbell Playhouse
Big Town
First Nighter, Arch Oboler's Plays } tie

COMEDIANS

Jack Benny
Bob Hope
Fred Allen
Edgar Bergen (McCarthy)
Robert Benchley

COMEDIENNES

Fannie Brice
Gracie Allen
Mary Livingstone
Barbara Jo Allen (Vera Vague)
Marian Jordan (Molly McGee)

COMEDY TEAMS

Fibber McGee & Molly
Burns & Allen
Benny & Livingstone
Bergen & "McCarthy"
Howard & Shelton

VOCALISTS: MALE (Popular)

Bing Crosby
Kenny Baker
Lanny Ross
Buddy Clark
Frank Parker

VOCALISTS: MALE (Classical)

Nelson Eddy
Lawrence Tibbett
Richard Crooks
John Charles Thomas
Donald Dickson

An Appreciation

TO the 700 radio editors who participated in the fourth annual poll to determine the most popular stars and programs of 1939, *Motion Picture Daily* wishes to express its gratitude. Their choice can be regarded as an authentic index to the outstanding broadcast entertainment.

VOCALISTS: FEMALE (Popular)

Kate Smith
Connie Boswell
Frances Langford
Virginia Simms
Bea Wain

VOCALISTS: FEMALE (Classical)

Margaret Speaks
Lucille Manners
Lily Pons
Jessica Dragonette
Gladys Swarthout

DANCE ORCHESTRAS (Popular)

Guy Lombardo
Kay Kyser
Wayne King, Glenn Miller } tie
Andre Kostelanetz
Horace Heidt

DANCE ORCHESTRAS (Swing)

Benny Goodman
Glenn Miller
Artie Shaw
Tommy Dorsey
Bob Crosby, Larry Clinton, Kay Kyser } tie

ORCHESTRAS (Classical)

NBC Symphony
New York Philharmonic
Ford Symphony, Andre Kostelanetz } tie
Philadelphia Symphony
Frank Black's NBC

MUSICAL PROGRAMS (Popular)

Kay Kyser's Kollege of Musical Knowledge
Your Hit Parade
Paul Whiteman
Tune Up Time
Fred Waring

MUSICAL PROGRAMS (Classical)

Ford Sunday Evening Hour
NBC Symphony
New York Philharmonic
Firestone
Cities Service

COMEDY SERIES

Jack Benny Show
Aldrich Family
Bob Hope Show
Fibber McGee and Molly
Amos 'n' Andy, Easy Aces } tie

CHILDREN'S SERIES

Let's Pretend (Nila Mack)
Lone Ranger
Coast to Coast on a Bus (Milt Cross)
Ireene Wicker
Malcolm Claire, Jack Armstrong } tie

ANNOUNCERS

Don Wilson
Milton Cross
Ken Carpenter
Harry Von Zell
Bob Trout, Ben Grauer, Andre Baruch } tie

COMMENTATORS

H. V. Kaltenborn
Lowell Thomas
Elmer Davis
Raymond Gram Swing
Paul Sullivan

SPECIAL EVENTS

CBS—War News
NBC—War News
Mutual—War News
CBC—Visit of Royalty
CBS—News Roundup

COMMERCIAL TALKS

Jello Program (Benny)
Ford Sunday Evening Hour
Johnson's Wax (Fibber McGee)
Kraft Music Hall (Crosby)
Canada Dry Information, Please

Critics of N.Y. Vote 'Heights' Best '39 Film

(Continued from page 1)

"Young Mr. Lincoln" were runners-up, in order, in the actor field.

Bette Davis in "Dark Victory" and "Old Maid" and Greta Garbo in "Ninotchka" were strong contenders for best actress.

In the directorial division, Ernst Lubitsch ("Ninotchka"), Victor Fleming ("Gone With the Wind") and Frank Capra ("Mr. Smith Goes to Washington" were runnersup. William Wyler ("Wuthering Heights"), Edmund Goulding ("Dark Victory" and "Old Maid") and Garson Kanin ("Bachelor Mother") also were in the voting.

Twelve ballots were cast to decide the best foreign film. "End of a Day" came close to the leader.

The awards will be presented at a reception in the Rainbow Room, Rockefeller Center, Jan. 7, which will be broadcast over a nationwide NBC network. Winners have been invited to speak from New York or Hollywood. Mayor F. H. LaGuardia will act as master of ceremonies.

Seventeen critics of New York daily newspapers voted, as follows: Frank S. Nugent, B. R. Crisler, Bosley Crowther, *Times;* Howard Barnes, Robert W. Dana, *Herald Tribune;* Kate Cameron, Wanda Hale, Dorothy Masters, *News;* Bland Johaneson, *Mirror;* William Boehnel, *World-Telegram;* Rose Pelswick, *Journal and American;* Archer Winsten and Irene Thirer, *Post;* Herbert Cohn, *Brooklyn Eagle;* Edgar Price, Brooklyn *Citizen;* David Platt, *Daily Worker;* Leo Mishkin, *Morning Telegraph.* Miss Cameron was chairman of the balloting, which was secret.

The *Sun* did not participate in the voting, its critic, Eileen Creelman, having resigned from the group two years ago.

$675,000 on Houses In New Haven Area

NEW HAVEN, Dec. 27. — Almost $500,000 has been spent on construction of eight new houses in this territory during 1939, in addition to another $175,000 on renovations.

The new houses included the 750-seat Avon, Stamford; 450-seat Unionville; 750-seat State, Jewett City; 550-car Milford Drive-In; 700-seat Park, Thomaston; 658-seat Groton; 973-seat Forest, Allingtown, and 600-seat Plaza Playhouse, Windsor.

Cleveland Variety Club Installs Lefton

CLEVELAND, Dec. 27.—Nat L. Lefton, president of Republic Pictures Corp. of Ohio, has been installed as new chief barker of Tent No. 6, Variety Club. He succeeded Nat Wolf, Warner zone manager. First assistant for 1940 is Duke Clark of Paramount Film Exchange; second assistant, Lester Zucker of Columbia Exchange; treasurer, I. J. Schmertz, of 20th Century-Fox Exchange; property man, Frank Boyd, of the American Seating Co.

Charlie M'Carthy Voted Radio Champion of Year

(Continued from page 31)

first, the Lux show second and the Campbell Playhouse was third. "Big Town" placed fourth and "First Nighter" and Arch Oboler's Plays were tied for fifth.

Upsets occurred in the comedy classifications. Fibber McGee & Molly took first position among the comedy teams, sending Burns & Allen, the perennial winners, into second place. In third place were Benny & Livingstone, one notch ahead of Bergen & McCarthy, while the team of Howard & Shelton achieved their first niche among the top five by drawing the last available berth.

Jack Benny, the old reliable, still rules the roost as Best Comedian, as he has done in all preceding years. Bob Hope's sudden rise to radio stardom brought him second place. In third position was Fred Allen who was nosed out of his place among the "Champion of Champions" for the first time.

Fannie Brice Wins Again

Fannie Brice won for the second time as Best Comedienne. Gracie Allen was second, Mary Livingstone, third, Vera Vague (Barbara Jo Allen) fourth, and Molly McGee (Marian Jordan), fifth.

The Jack Benny show for Jello, which has always taken first place for the Best Comedy Series, walked off with that prize once more. The Aldrich Family, and Bob Hope's variety show, sitting in the seats of the mighty for the first time, took second and third places, respectively. In fourth place were Fibber McGee & Molly, with Amos 'n' Andy and the Easy Aces tied for fifth.

In the realm of classical music, the NBC Symphony Orchestra is still ranked as the Best Radio Orchestra (Classical). The New York Philharmonic was second, the Ford Symphony and Kostelanetz' orchestras were tied for third, the Philadelphia Symphony orchestra was fourth and Frank Black's NBC string orchestra, fifth.

For all-around balance, however, the Ford Sunday Evening Hour drew the votes of the experts as the Best Musical Program (Classical) for the second year. NBC Symphony was in second position, the New York Philharmonic, in third, the Firestone Hour, fourth, and the Cities Service program, fifth.

Bing Crosby Vocal Tops

Don Ameche, Edward G. Robinson and Bing Crosby again finished in one-two-three order as Most Effective Film Player on the Air. Walter Huston was fourth and Bob Hope, fifth.

Bing Crosby is still the Best Male Vocalist in the Popular classification and Kenny Baker retained his position as runner-up. Lanny Ross moved up to third position, Buddy Clark was fourth and Frank Parker, fifth.

Retaining the crown she won last year, Kate Smith rang up another victory as Best Female Vocalist (Popular). Connie Boswell, who did not rate until last year, showed further growth in popularity by moving up to second place, with a serious bid for the top spot.

Nelson Eddy topped the poll for the fourth consecutive year as Best Male vocalist in the classical division. Lawrence Tibbett moved up to second, Richard Crooks was third, John Charles Thomas, fourth and Donald Dickson, fifth.

Among the feminine classical singers, four of the top five positions remained exactly as they were last year. Margaret Speaks was first, Lucille Manners, second, Lily Pons, third, and Gladys Swarthout, fifth. In fourth position was Jessica Dragonette, who returned to top-ranking.

Kaltenborn as Commentator

The Best Commentator is H. V. Kaltenborn. Lowell Thomas was second. Two new faces, Elmer Davis and Raymond Gram Swing, were third and fourth, and Paul Sullivan, fifth.

War news coverage of CBS was the overwhelming favorite for the Best Special Events or News Job Performed by Radio. Similar coverage by NBC ranked second and that of Mutual, third. The Canadian Broadcasting Corp. drew fourth place for coverage of the visit of Britain's King and Queen, while the CBS nightly "News Roundup" was fifth.

"Let's Pretend," with Nila Mack, was again rated the Best Children's Program. "The Lone Ranger" was second, "Coast to Coast on a Bus," with Milton Cross, third, Ireene Wicker, fourth, and Malcolm Claire and Jack Armstrong tied for the fifth rung.

Don Wilson Best Announcer

A never-failing winner, Don Wilson was ranked as Best Announcer. Milton Cross moved up to second place, Ken Carpenter was third, Harry Von Zell, fourth, and Bob Trout, Ben Grauer and Andre Baruch were in a triple tie for fifth.

After rating the popularity of the programs' talent, the poll ends with an examination of commercial announcements. Jack Benny's Jello program was found most acceptable, the Ford Sunday Evening Hour was second, Johnson's Wax with Fibber McGee & Molly, was third, and the Kraft Music Hall was fourth. This is the same order in which the programs finished last year.

Para and Sherman Close Cassidy Deal

HOLLYWOOD, Dec. 27.—Paramount and Harry Sherman closed a new production deal today for the latter to continue to make the Hopalong Cassidy pictures starring William Boyd. The deal runs for two years. Sherman will produce six films of the Cassidy series and two Zane Grey pictures besides one special for each of the two years.

The tentative titles are "Riders of the Panamints," "Buckaroo," "The Chisolm Trail," "Men of the Plains," "Three Men from Texas," "Border Vigilantes," "The Thundering Herd," and "Code of the West." The last two are Zane Grey stories.

Set Next French Film

Next release in this country of the French Cinema Center, Inc., will be "Jardins de Murcie." The picture was filmed in Spain before the outbreak of the civil war and has French dialogue.

Yule Season Brings Seattle Gross Slump

SEATTLE, Dec. 27. — Despite clear and cool weather, the pre-Christmas shopping took its toll of local grosses. No house was able to reach average.

Estimated takings for the week ending Dec. 22:

"Ninotchka" (M-G-M)
"Dancing Co-Ed" (M-G-M)
BLUE MOUSE—(950) (25c-40c-55c) 7 days, 3rd week. Gross: $2,800. (Average, $4,000)
"Remember?" (M-G-M)
"What a Life" (Para.)
FIFTH AVENUE—(2,500) (25c-40c-55c) 7 days. Gross: $6,000. (Average, $7,000)
"Mr. Smith Goes to Washington" (Col.)
LIBERTY—(1,800) (25c-40c-55c) 7 days, 7th week. Gross: $4,700. (Average, $5,000)
"Another Thin Man" (M-G-M)
"Bad Little Angel" (M-G-M)
MUSIC BOX—(950) (25c-40c-55c) 7 days, 4th week. Gross: $3,100. (Average, $4,000)
"Barricade" (20th-Fox)
"Pack Up Your Troubles" (20th-Fox)
ORPHEUM—(2,450) (25c-40c) 7 days. Gross: $4,200. (Average, $6,000)
"Jeepers Creepers" (Repub.)
"Private Detective" (W. B.)
PALOMAR—(1,500) (15c-25c-40c) 7 days. Vaudeville headed by Jack Cavanaugh. Gross: $4,800. (Average, $5,000)
"Destry Rides Again" (Univ.)
"Meet Dr. Christian" (RKO)
PARAMOUNT—(3,050) (25c-40c) 7 days, 2nd week. Gross: $4,800. (Average, $6,000)

No Change in Omaha Admissions in 1940

OMAHA, Dec. 27.—Admission prices in the Omaha distribution area (Nebraska, eastern Iowa and southern South Dakota) will remain "as is" for 1940.

Exhibitors believe there will be no price changes until general business conditions and the crop situation improve. Theatres in this area are dependent largely on farm output and farm prices.

Various types of giveaways are developing rapidly and apparent trend is for "bigger and better" giveaways during 1940. Most recent of this nature is a Food Shop at the newly opened State in downtown Omaha. Patrons get coupons with ticket, good for canned goods when they leave at a small grocery store set up in the lobby.

Ohio ITO Starting 'Gold' Fight Jan. 2

COLUMBUS, Dec. 27.—I. T. O. of Ohio plans to start its statewide campaign Jan. 2 to bring patrons to theatres on nights of the "Pot O' Gold" radio program, provided 200,000 seats can be obtained to guarantee the initial deposit of $6,000 at three cents per seat.

The proposed campaign is designed to counteract the $1,000 giveaway over NBC. Meetings in Cincinnati, Cleveland and Columbus have resulted in a pledge of 104,300 seats, and fewer than 100,000 are necessary.

Fined for Sunday Films

DANVILLE, Va., Dec. 27.—Fines of $100 and costs were imposed on four theatre managers for Sunday operation by Magistrate G. W. Evans in Police Court. The four were C. L. Abercrombie, Fleet Robinson, Clyde A. Wooten and Ben F. Smart. They have appealed.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 46. NO. 126 NEW YORK, U. S. A., FRIDAY, DECEMBER 29, 1939 TEN CENTS

Edington Gets Post As RKO's Top Producer

Will Head 'A' Production; Marcus Guides 'B'

Harry Edington yesterday was named executive producer for RKO by George J. Schaefer, president. He will be in charge of production of "A" pictures for the company.

Lee Marcus will continue as executive producer in charge of low-budget product, and Joseph J. Nolan will continue as assistant to the president, in charge of all studio operations.

This three-way allocation of studio and production responsibility and authority completes the new RKO studio executive setup to become effective with the withdrawal of Pandro S. Berman as production head.

Edington, a former M-G-M production executive, who subsequently headed his own talent agency, organized Famous Productions last year to release through Universal. The first production, "Green Hell," starring Douglas Fairbanks, Jr., and Joan Bennett, was completed recently, and will be distributed by that company.

Presumably, Famous Productions will be disbanded immediately to permit Edington to take over his new RKO post.

Eastern Circuits All Signed by U.A.

United Artists has closed new season product deals with every circuit in its entire eastern division, Harry L. Gold, vice-president and eastern general sales manager, told the year-end meeting of the company's divisional executives at the home office yesterday.

Gold also made known arrangements for a number of district sales drives to begin Jan. 2. These drives, each in honor of the district manager in charge, will culminate in a single eastern division drive. All districts will compete for the grand prize.

Attending the meeting were Charles Stern, eastern district manager; Bert

(*Continued on page 6*)

No Paper Monday

Motion Picture Daily **will not be published Monday, Jan. 1, New Year's Day.**

1939 Films Prove Industry Can Regulate Itself Best, Hays and Quigley Declare

Voluntary self-regulation of the motion picture industry finds justification in the extraordinary high calibre of films produced during 1939, it was emphasized by Will H. Hays and Martin Quigley in speeches last night in a Coast-to-Coast broadcast over CBS.

Mr. Hays credited the great strides of the industry during the year to the "planned path of self-regulation" in which it was "left free to develop and to discharge a public service under a system of self-guidance, uninfluenced by political censorship or subservient to propaganda."

Mr. Quigley discussed the *Motion Picture Herald's* annual survey to determine the leading ten cinema personalities. "The pictures which have made these players the public's pre-eminent favorites are a vindication of the reasons for, and a compliment to the success of, the American industry's system of voluntary, interior regulation which keeps straight the adjustment of the social and moral implications of American films to those ideals of life and behavior which are the source of this nation's greatness," Mr. Quigley said.

Texts of their radio addresses follow:

Mr. Hays:

In conducting this poll, Mr. Quigley, and thus reporting it, you well call attention to the success of these individual stars and you celebrate the progress of an art and the achievements of an industry.

It is of great interest to me each year to observe the result of the Popularity Poll of the *Motion Picture Herald,* because it does depend upon the popular vote at the box-office. My congratulations are most earnest to these stars who thus have been honored because the distinction has been gained through the free community selection exercised all over this land.

It is as if, in an election, they have been made the people's choice this year by the voters themselves. The returns are compiled from the eighty-five millions of Americans who each week pass through the doors of the motion picture theatres in the United States alone. It is also the expression of approval of the public as participating partners in the whole partnership enterprise which is motion pictures.

It is interesting to note also that the particular pictures in which these stars won this year's public acclaim dealt with human situations, wholesome themes and high American ideals.

I know I voice the wish of the distinguished artists honored tonight when I present them as symbols through whom is expressed the appreciation for the great army of artists and artisans—writers, actors, directors, technicians, producers and executives—whose combined efforts make motion pictures possible. Surely there is no other enterprise where success depends so much on intimate cooperation. Ours is indeed a great partnership.

Picture progress in 1939 is a trib-

(*Continued on page 2*)

Mr. Quigley:

Motion Picture Herald has just completed its regular annual survey to discover which motion picture personalities amongst all of those who appear on the screen are the public's favorites.

It is fitting that the methods employed in this survey are the methods of democratic procedure because the motion picture is the sole art which is entitled to be described as democratic in its origin, development and patronage.

It will be remembered that the motion picture, unlike painting, sculpture and music, did not depend for nurturing and support upon the patronage of kings and the riches of the aristocracy. The public alone has been the patron of this art.

The film, first ignored by the erudite and scoffed at by the intelligensia, found its initial encouragement amongst the humble inhabitants of crowded industrial districts, many of whom, lately arrived in their America of opportunity, and as yet unschooled in the language of their adopted country, found happy relief from the language barrier in the then silent film which spoke the universal language of pictures.

This survey is not based upon the opinions of critics. It does not concern itself with any of the abundant discussions and disquisitions which laboriously dissect and analyze the artistic implications of pictures and performers. Instead it goes straight to the heart of the public to find what preferences lie therein.

It questions not why these preferences have been made. It is sufficient for us simply to know which players the public, in the exercise of

(*Continued on page 2*)

Ascap Gains Vital Victory In Nebraska

Court Gives Writ Halting Enforcement of Law

By BRUCE NICOLL

LINCOLN, Dec. 28.—A permanent injunction restraining Nebraska from enforcing its anti-Ascap law was issued today by the Federal statutory court which heard arguments on the constitutionality of the statute last September.

The three-judge court's opinion was unanimous, lessening the likelihood of an appeal being taken by the state to the U. S. Supreme Court.

Moreover, the Nebraska statute has been before the high court on the question of jurisdiction already, and in deciding for Ascap and sending the case back to Nebraska for a trial on the merits the Supreme Court observed that there was "a grave doubt of the constitutionality" of the measure.

The Nebraska decision has a direct effect on the Florida anti-Ascap law which is identical and which is now being contested by Ascap. Presumably, it also has some bearing on the Washington and Montana anti-Ascap laws, both of which are similar to the Nebraska statute. Consti-

(*Continued on page 6*)

Formby Again Tops British Box-Offices

Exhibitors throughout Great Britain and Ireland, polled by *Motion Picture Herald* in its annual ballot, declared George Formby the money-making star of all-British pictures for the year.

The Lancashire comedian repeated his victory of last year, as did Gracie Fields, in second place. The winners:

1. **George Formby**
2. **Gracie Fields**
3. **Robert Donat**
4. **Will Hay**
5. **Anna Neagle**
6. **Leslie Howard**
7. **Charles Laughton**
8. **Gordon Harker**
9. **Ralph Richardson**
10. **Will Fyffe**

A newcomer to the group is Robert Donat, and close behind him came Will Hay. Anna Neagle stepped up from eighth to fifth place, Leslie Howard's "Pygmalion" is considered

(*Continued on page 9*)

Purely Personal

GEORGE J. SCHAEFER and MRS. SCHAEFER left for Florida yesterday for a brief vacation.

•

BARNEY BALABAN, AUSTIN KEOUGH, TED O'SHEA, TOM CONNERS, ED SAUNDERS, MAX A. COHEN, ARTHUR HOPKINS, CHARLES F. McCARTHY and GEORGE SKOURAS lunching at Nick's Hunting Room in the Astor yesterday.

•

ARTHUR LOEW, JOHN GOLDEN, RUTH GORDON, TOM FIZDALE, ROBERT WEITMAN, ROBERT MILTON, LEE SHUBERT, NAT KARSON, SIDNEY KINGSLEY, RUSSELL HOLMAN and JOHN BYRAM at Sardi's for lunch yesterday.

•

WOLFE COHEN, Canadian district manager for Warners, and WILLIAM MANSELL, Philadelphia branch manager, are in town for conferences with ROY HAINES, Eastern and Canadian sales manager.

•

AL SIMON, publicity director of WHN, Loew-owned station, is completing a book titled "Fun on the Air," consisting of comic incidents during broadcasts.

•

SELIG FISHMAN of New Haven is a grandfather. The grandson is 7½-pound ALLAN ROY, son of DR. and MRS. JOHN CHASNOFF of New Haven.

•

LEONARD GOLDENSON, Paramount home office theatre executive, will return today from a business trip to Detroit.

•

EDWIN AARON, assistant to WILLIAM F. RODGERS, M-G-M sales chief, tomorrow celebrates a birthday.

•

HERMAN WOBBER, general distribution manager of 20th Century-Fox, is due Monday from the Coast.

•

CARL ROHS, operating the Rohs, in Cynthian, Ky., is the father of a baby girl born to MRS. ROHS early this week.

•

EDWARD A. BURKHARD, 20th Century-Fox salesman in Cincinnati, and his wife are in Florida.

•

T. H. McMAHON of the J. H. Cooper Colorado operations is in New York on a business visit.

•

HENRY A. FRIDEL, M-G-M branch manager in Denver, observes a birthday Sunday.

•

AL WILKIE, Paramount publicity manager, is confined to his home with a cold.

Small Brokers Fix Own Ticket Code

Associated Theatre Ticket Agencies, organization of smaller brokers who have rejected the League of New York Theatres' ticket code, started a code of their own last night and fixed a 55 cents advance as the limit for all tickets sold over the counter. This is less than the 75 cents maximum fixed by the League. Additional rules will be set in the future for transactions with regular customers and cases where credit and delivery services are provided.

1939 Films Prove Industry Can Regulate Itself Best, Hays and Quigley Declare

Mr. Hays:

(*Continued from page* 1)

ute, just as full, to the cooperation given to the industry by social and religious leadership. The processes of criticism, selection and education have enlarged, not restricted, the artistic and dramatic opportunities of the screen; they have increased, not decreased, motion picture attendance. For this cooperation and criticism we are grateful. Thus the public exercises its privilege and duty as partners.

In the whole result lies the true significance of the planned path of self-regulation in an art and an industry left free to develop and to discharge a public service under a system of self-guidance, uninfluenced by political censorship or subservient to propaganda and aided by all the constructive thought that could be brought to bear.

And the same Martin Quigley who tonight has brought us this vote of the people also has labored valiantly with the industry, as one of us, and has contributed very much indeed to the processes by which we have planned to keep American motion pictures thus attuned to American ideals.

The people of this country, who in the last analysis, are the guardians of the motion picture as an institution, should not forget that wherever as in Germany and Russia the heavy hand of government has come to dominate it, the motion picture as an art has withered. Little, indeed, has remained except crude, crass propaganda.

High Quality Despite Handicaps

A present responsibility of the whole partnership is the transcendent duty to society now to keep the stream of world entertainment flowing—entertainment of the very highest quality and widest possible appeal. This responsibility will be discharged in spite of any handicaps that grow out of current world situations.

The world has survived tragic times before, with many cycles of war, pestilence and famine. Injustice and cruelty have been poisonous and recurrent weeds in the oft-broken path of civilization. But there always have been certain undying qualities of the human spirit which have survived from the beginning of man. Hope, faith and courage still burn with a living flame. It is by their eternal light that we make certain the future of America.

Mr. Quigley:

(*Continued from page* 1)

its inalienable right of free choice, has determined it likes best.

The democratic character of the *Herald* survey is demonstrated in that it is based upon the votes cast by the whole public in the form of the admission price paid at the box-office. The theatre managers of the nation have told us which players the public paid most to see—which players received the greatest number of box office ballots.

Lists Ten Top Ranking Stars

For 1939 the theatres report that the ten biggest money-making stars of the screen, in the order mentioned, are: Mickey Rooney, Tyrone Power, Spencer Tracy, Clark Gable, Shirley Temple, Bette Davis, Alice Faye, Errol Flynn, James Cagney and Sonja Henie.

The vote for these players is a vote for the pictures in which they have appeared. It is a significant fact that the predominant characteristics of the vehicles in which these players have ridden to popular acclaim are simplicity, wholesomeness and humanity.

These are pictures which sought honestly to entertain and not mischievously to influence political, social or economic opinions.

These are pictures which bespeak the American ideal and the best that has been contributed to this ideal out of the riches of the older civilizations. One will search in vain here for players who have sought to challenge the public interest with pictures specializing in the arty, the sophisticated or the suggestive.

The pictures which have made these players the public's preeminent favorites are a vindication of the reasons for, and a compliment to the success of, the American industry's system of voluntary, interior regulation which keeps straight the adjustment of the social and moral implications of American films to those ideals of life and behavior which are the source of this nation's greatness.

I am privileged now to present one whose influence has been foremost upon the American film during the past eighteen years. His has been the voice which has successfully led the American motion picture industry in face of the inevitable responsibilities inherent in undertaking to provide its chief amusement to a vast audience of every age group and condition of society.

Doyle's Duties Expanded

Arthur G. Doyle, 20th Century-Fox manager at Tokio, has been appointed by Walter J. Hutchinson, director of foreign distribution, as supervisor for Japan, China and the Phillipines under Del Goodman, Far Eastern manager. T. E. Lopato will continue as manager of China.

Blodgett Altec Director

T. H. Blodgett, president of the American Chicle Co., has been elected to the board of directors of Altec Service Corp., taking the place left vacant by the death of B. L. Allen.

Arthur Robert Dies

THREE RIVERS, Quebec, Dec. 28.—Arthur J. B. Robert, partner of Famous Players Canadian Corp. in the operation of several theatres here, is dead after a long illness. He is survived, besides his wife, by three sons.

Vaude in Birmingham

BIRMINGHAM, Ala., Dec. 28.—Vaudeville returned to Birmingham on Christmas Eve, when the Pantage opened with "Karstou's Follies Unusual," one complete company including a 10-piece band.

Broadway Enjoys Capacity Business

Despite the freezing weather of the past two days, Broadway boxoffices continued to do capacity business, considerably ahead of the holiday business of recent years. Long lines formed outside the lobbies early and continued all day.

"Swanee River" will open today at the Roxy. The second week of "Everything Happens at Night," with a stage show, drew an estimated $33,000 at the Roxy. First week of "Four Wives," with Abe Lyman's band on the stage, at the Strand, drew an estimated $48,000.

The Music Hall set back the opening of "The Hunchback of Notre Dame" to Saturday. "The Light That Failed" will probably gross an estimated $50,000 for its first week at the Rivoli, which ends tonight.

Fox Plans 5 Films In Britain in 1940

British production plans of 20th Century-Fox in 1940 probably will be the same as the current year's program of five multiple credit pictures, according to company officials.

The company has completed its production commitment in England this year. The program includes "Shipyard Sally," starring Gracie Fields; "So This Is London," "Girls Must Live" and two in the "Inspector Hornleigh" series. All count for double or triple quota credit.

Robert T. Kane, British production head, is conferring with Darryl F. Zanuck on the coast regarding 1940 production.

'Wind' Scheduled In 31 Loew Houses

"Gone With the Wind" is set to open in 31 Loew key city houses. About 20 engagements will start Friday, Jan. 26, and the remainder a week later, on Feb. 2. Additional openings will follow later in February.

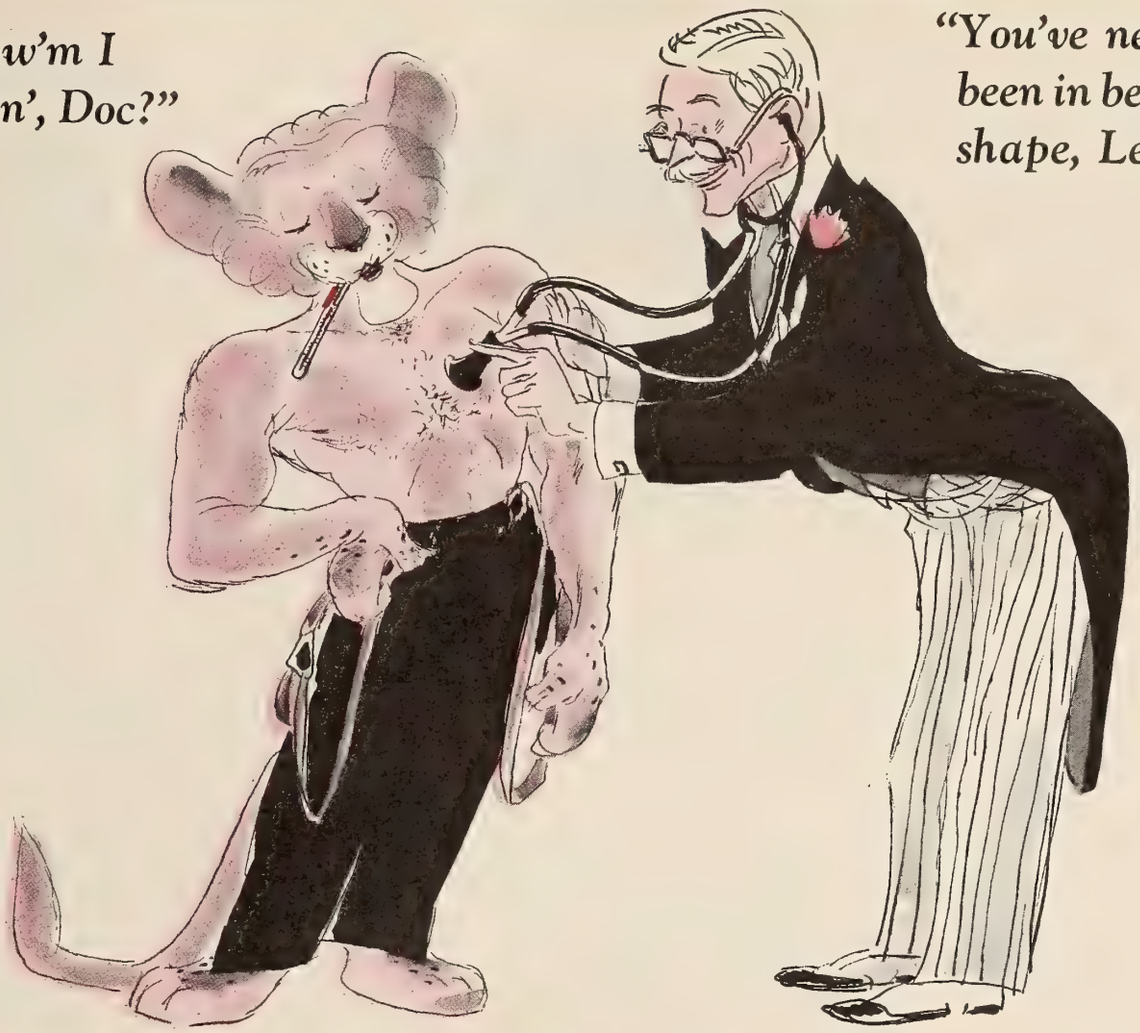
Bondy in RKO Order

The Irving Trust Co., as trustee of RKO, was authorized yesterday by Federal Judge Bondy to affirm or disaffirm leases and contracts of RKO until July 1, 1940. The extension of time will not apply, the order stated, if reorganization proceedings are ended before that date.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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CAN M-G-M KEEP UP THAT SIZZLING PACE?

While "JUDGE HARDY & SON" and "BALALAIKA" are in the holiday spotlight here are two more M-G-M hits just previewed:

PREVIEW! "EARL OF CHICAGO" SENSATIONAL!

Terrific enthusiasm greeted surprise preview in Los Angeles of Robert Montgomery's new picture "Earl of Chicago." Performance rated of Academy Award calibre. This is the first American production from Victor Saville of "Citadel" and "Mr. Chips" fame.

PREVIEW! "SHOP AROUND THE CORNER" GRAND!

Ernst Lubitsch fresh from "Ninotchka" triumph clicks again in heart-warming entertainment with tenderest romance the screen has ever seen. Great cast! Margaret Sullavan, James Stewart, Frank Morgan and others. The preview audience raved! Another Topnotchka hit!

HELLO 1940! LEO IS HOT!

Reprinted from Motion Picture Herald of Dec. 9

The Most Vital News Story—and Why!

WHEN exhibitors tell each other which stars pay off best at their boxoffices, this is the most vital industry news that can be printed.

That is why the Motion Picture Herald's annual Money Making Star Poll is so important to all theatre owners

Watch for the results of this year's poll, because

it is recognized that the company having the most stars among the First Ten has the product with the most power at the boxoffice.



20th Century-Fox has more stars in the First Ten than any other company!

TYRONE POWER
(2nd year in the First Ten)



Next in "DANCE WITH THE DEVIL"

SHIRLEY TEMPLE
(6th year in the First Ten)



Next in Maurice Maeterlinck's "THE BLUEBIRD"

ALICE FAYE
(2nd year in the First Ten)



Next in "LITTLE OLD NEW YORK"

SONJA HENIE
(3rd year in the First Ten)



Now in "EVERYTHING HAPPENS AT NIGHT"

Ascap Gains Vital Victory In Nebraska

(*Continued from page* 1)

tutionality of the Washington case has been argued and a decision is expected in the near future.

Ascap officials have regarded the Nebraska statute as better drawn legislation than that enacted by Washington and Montana, and for that reason regard their Nebraska victory as a highly significant one.

The Nebraska statute was enacted early in 1937. Ascap obtained a temporary injunction the same year but a statutory court subsequently held that there was doubt that the $3,000 minimum amount was involved to give it jurisdiction in the case. This finding was appealed to the U. S. Supreme Court by the state, which held that the necessary amount was involved and sent the case back for a trial on the merits.

Louis D. Frohlich and Herman Finkelstein of the New York law firm of Schwartz & Frohlich represented Ascap in the case. Louis Hotz and Andrew W. Bennett were attorneys for the state.

The 11-page opinion, written by Judge A. K. Gardiner of the U. S. Circuit Court of Appeals, and concurred in by District Judges T. C. Munger and J. A. Donohoe, holds the state law to be unconstitutional on three grounds.

In the first instance, it holds that the state police power cannot be extended to the purpose designed in the statute. "While the power reasonably to restrain unlawful monopoly and trade-restraining combinations must be conceded," it declares, "an act compelling owners of copyrights to offer them for sale in a certain way and, if they fail to do so, take them away without compensation, violates the due process clause of the Constitution and the Federal Copyright Act."

Second, the opinion holds that the rights of public performance guaranteed by the Copyright Act of 1909 include separate and distinct rights to publish motion picture rights, stage rights, recording rights and radio rights. Copyright owners may wish to give one of these rights to one party and another to a different party. Owners are entitled to do this, the opinion said, but the Nebraska statute interferes with their doing so.

Third, the opinion points out that under Section 2 (B) of the state law, the copyright owner must offer public performance rights of his composition for sale and use in Nebraska in certain ways, and if he does not choose to do so any person purchasing the composition may use it in the state for public performance without liability to the copyright owner. This deprives the owner of his rights under the copyright act, specifically of the right to withhold his composition from sale or performance, the opinion states.

The opinion holds the whole act inoperative, saying that the part deemed to be unconstitutional could not be separated from the rest of the act. In general statements, the opinion said the owner of a copyright has the right to dispose of any or all his copyright the way he chooses.

Goldwyn's Next Move Undecided

Samuel Goldwyn's next legal move in his attempt to terminate his distribution contract with United Artists remained undetermined yesterday as his attorney, Max D. Steuer, was still confined to his home with a cold.

In Steuer's absence, his office declined to comment on Wednesday's dismissal of Goldwyn's action against United Artists by Federal Judge John P. Nields in Wilmington, and would make no prediction as to the next move which might be made.

Inasmuch as the court decision nullifies the notice of termination of Goldwyn's contract which was sent to United Artists by Steuer last week, distribution arrangements for Goldwyn's new picture, "The Westerner," are left in doubt.

The notice of termination stated that "Raffles" would be the last picture which Goldwyn would deliver to United Artists, making it clear that the producer had no intention at the time of delivering "The Westerner" to the same company.

With Goldwyn's contract still in full force insofar as the courts are concerned, attorneys say there is little likelihood of another company negotiating with Goldwyn for distribution of "The Westerner." They estimate also that if Goldwyn renews the litigation by filing a new suit, it could take six months to get a decision, as the first action was argued in Wilmington last June.

Goldwyn Suit on Bonus Transferred to U. S. Court

N. Y. Supreme Court Justice Aron Steuer yesterday ordered the transfer to the U. S. District Court of the suit of Samuel Goldwyn, Inc., against United Artists for $54,559, and interest from Aug. 25, 1939.

Plaintiff recently brought action claiming that this sum, representing a bonus for 1938 due to it as an associate producer for additional revenue brought in by individual films, had been tendered without interest from the due date. According to the complaint Goldwyn refused to accept the sum unless interest was paid from Aug. 25.

Justice Steuer granted the transfer because of diversity of citizenship.

Neely Bill Opposed In House: Brylawski

"The Neely bill is expected to remain in committee a long time, and if the committee never reported it out it would meet with the wholehearted approval of the House," said A. Julian Brylawski, president of the M. P. T. O. of the District of Columbia, here yesterday.

The bill, in the House Interstate Commerce Committee, is scheduled for consideration in the session of Congress convening next week. Brylawski indicated his belief that House action on the Neely bill is not probable until late in the session.

Newsreel Parade

King George in France, Helsinki after an air raid, Russia expelled from League of Nations, U. S. bombers in formation flight over the nation's highest peak and an array of less significant events constitute the coverage in the new issues.

MOVIETONE NEWS, No. 32—Graf Spee burns. Helsinki devastated. League of Nations ousts Russia. British soldiers taught to man tanks. King George visits France. Pope Pius celebrates anniversary. Roosevelt extends season's greetings. Lew Lehr. Outdoor fashions. Tropical Park opens. Swim meet in Florida.

NEWS OF THE DAY, No. 230—Graf Spee in flames. U. S. bombers over Mt. Whitney. King George in France. Ruins in Helsinki. Aquatic carnival in Florida. Tropical Park opens. Holiday greetings.

PARAMOUNT NEWS, No. 35—Resume of outstanding events of 1939. (running time, 14 mins.)

RKO PATHE NEWS, No. 47—Havoc in Helsinki. Army bombers over Mt. Whitney. Roosevelt urges peace. Panda gets bath in Missouri zoo. Swim carnival in Florida. Horse racing in Florida.

UNIVERSAL NEWSREEL, No. 836—King George with Royal Air Force in France. British cruiser in Florida waters. Russia expelled from League of Nations. Swedes bolster defenses. French cadets sworn in. Bombers in formation flight Mexicans fete patron saint. Tropical Inaugural horse race. Swim meet. New Year celebration in Florida.

Zukor Asks Quality For South America

HOLLYWOOD, Dec. 28.—There has always been an abundance of pictures in South American markets and it is a question of quality rather than quantity, Adolph Zukor, chairman of the Paramount board, declared here.

He has just returned from three weeks in Cuba, and will leave for New York Jan. 8, planning to sail for South America on the *Santa Elena* Jan. 12.

Zukor declared he was much encouraged "with conditions as I find them" and said that people of all classes are as interested as ever in motion pictures.

On the Latin American market, he said, "It is up to us to give people what they want. Translated into terms of Latin America this means providing theatres with much the same type of film which appeals to this country's audiences. Due in part to the necessity of using superimposed titles, the preference is for pictures stressing action rather than dialogue."

Relative to television, the executive said, "I think television, if and when it develops, will have its own audiences and will affect our business little, if at all."

Eastern Circuits All Signed by U.A.

(*Continued from page* 1)

M. Stearn, central district manager; David Prince, southern district manager; Haskell M. Masters, Canadian sales manager; Arthur Silverstone, asssitant eastern general sales manager, and Phil Dow.

The managers attended screenings of "Raffles," "Slightly Honorable" and "Of Mice and Men," which the company will release in the near future.

Decision Reserved In St. Louis Action

ST. LOUIS, Dec. 28.—Circuit Judge Ernest F. Oakley today took under advisement the case asking for the appointment of a permanent receiver for the Operators' Union, Local 143.

The suit, filed by the union, asks that John P. Nick, former head, and Clyde A. Weston, ex-business agent, be ousted permanently. Testimony regarding the nine-month battle between the two factions in the union ended yesterday.

Unions to Aid Finns

At the request of Herbert Hoover, representatives of all theatrical unions met yesterday with Matthew Woll, vice-president of the American Federation of Labor, to discuss methods of raising funds for Finnish relief. Although several plans were discussed, no final decision was made. Woll was empowered to appoint an advisory committee which will draft a definite plan and a further meeting will be held to consider it.

Settle Al Pearce Suit

Breach of contract suit of Ruth Rubin, assignee of William H. Comstock, radio artist known as "Tizzie Lisch," against Al Pearce, was settled yesterday in the N. Y. Supreme Court for $8,250.

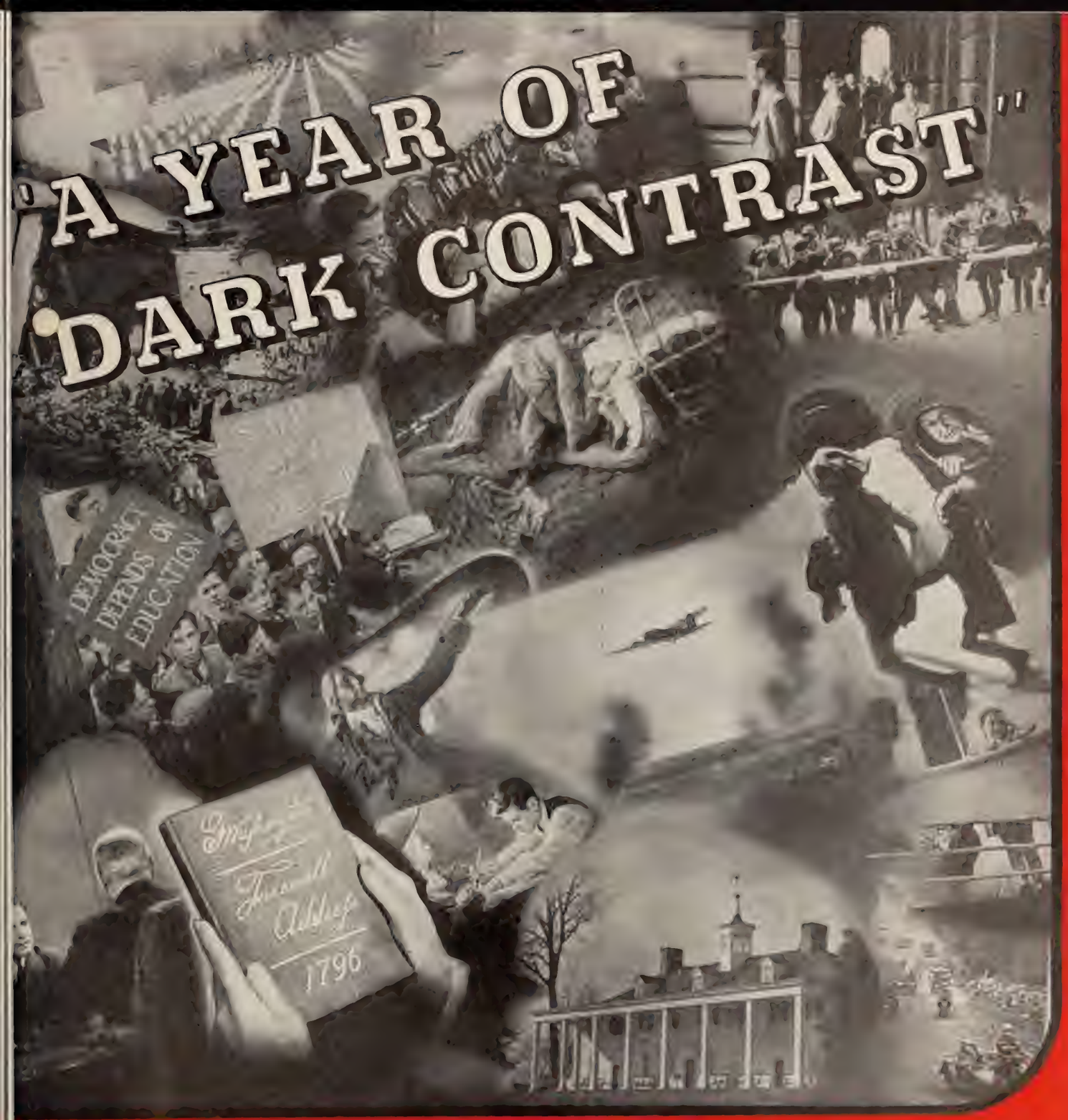
Critics-Mayor-NBC Quarrel

Mayor LaGuardia's plans for Eastern film production caused a turmoil at NBC yesterday afternoon but it was all over in a few hours and harried special events officials were describing it as a "tempest in a teapot."

It all started when William Boehnel, film critic of the *World-Telegram*, came down to see Abe Schechter, head of the news department at the network, to settle program details for the broadcast over the Blue network on Sunday, Jan. 7, at 6:30 P.M., at which time the New York Film Critics present their 1939 awards.

This program, which has been carried by NBC for five years, hooks up Hollywood and European cities, where stars and directors make brief acceptance speeches. Boehnel proposed that the Mayor act as master of ceremonies, but Schecter, seeing possibilities of a Hollywood-New York conflict, balked at the idea. He feared that Hollywood might insist on free time to answer "controversial issues" which might be raised by the Mayor. Boehnel gallantly offered to permit the mayor of Hollywood to speak, but Schecter was adamant.

A hurried telephone conference of the critics resulted in the decision to try CBS, and if met with a refusal there to abandon a "censored" program. However, it was all straightened out, and NBC will permit Mayor LaGuardia to speak about anything that's on his mind on Jan. 7. Art Donegan, who handles the Blue publicity, looked mildly annoyed.



Paramount's stirring screen editorial...steeped in the true traditions of American democracy... delivered to your audiences with a dramatic punch that will have them cheering. Told from the unusual viewpoint of a father giving advice to his son about what Americanism means to him in today's troubled world. Last season's "Year of Contrast" won wide favor... this season's "Year of Dark Contrast" is sensational!

...IT'S A BONUS!...A NEW YEAR'S GIFT FROM PARAMOUNT TO YOUR AUDIENCES!

OVER →

A YEAR OF GREAT EXCITEMENT



brought to your screen by PARAMOUNT NEWS

the outfit that's *there* when the news happens . . . and brings you the news while it's still news! The war in Poland...the scuttling of the Spee...the scuttling of the Columbus...if it's a real news beat—Paramount News will get it!

PARAMOUNT NEWS · TWICE A WEEK, EVERY WEEK · 104 ISSUES A YEAR

Formby First In British Poll Of Film Stars

(Continued from page 1)

largely responsible for his position, and Charles Laughton duplicated last year's result in seventh place. Gordon Harker moved from 12th to ninth and Ralph Richardson is another newcomer to the first 10.

The same British exhibitors, voting also on the money-making stars of any country, gave these as their first 10 selections:

1. **Deanna Durbin**
2. **Mickey Rooney**
3. **Shirley Temple**
4. **Robert Taylor**
5. **Jeanette MacDonald**
6. **Spencer Tracy**
7. **Errol Flynn**
8. **George Formby**
9. **Nelson Eddy**
10. **Gary Cooper**

It is notable that the three winners in the international group are all youngsters.

Western stars were designated in the order of box-office value as follows: 1. Bill Boyd; 2. Gene Autry; 3. Dick Foran; 4. George O'Brien; 5. Buck Jones; 6. Ken Maynard; 7. The Three Mesquiteers; 8. Tim McCoy; 9. Bob Baker; 10. Tex Ritter.

The ballots which went out to the British exhibitors stressed the importance of carrying on despite the war situation, and pointed to the importance of British showmen making every effort to continue their business of entertainment in as near normal a fashion as could be accomplished under the circumstances.

Neely Bill Debated At Ampa Luncheon

C. C. Pettijohn and Harry Brandt addressed members of the A.M.P.A. on the Neely Bill at the organization's weekly meeting yesterday at Stouffer's restaurant.

Copies of a pamphlet titled "What Price Neely Bill," consisting of a talk by Pettijohn before the A.M.P.A. on Dec. 14, and copies of the bill itself were distributed at the meeting.

Brandt urged the enrollment of all industry employees and their relatives in a campaign to defeat the bill.

Marty Levine, Edmund O'Brien and Fred Kohler, Jr., were among guests at the meeting. Paul Lazarus, Jr., presided.

Loew's Fights Suit

Loew's, Inc., will apply to the N. Y. Supreme Court on Jan. 9 for an order dismissing the stockholders' suit of Norman Wolf and Mannes Fuld, papers filed yesterday revealed. The application which seeks a dismissal for failure to state a cause of action refers to the complaint which charges mismanagement in dealings between Loew's and Erpi which allegedly resulted in losses of $5,000,000.

306 Elects Eichhorn

Charles S. Eichhorn was one of the 10 members elected to the executive board of Operators Union, Local 306. Alex Polin, announced as one of the board in yesterday's MOTION PICTURE DAILY was defeated.

Hollywood Review

"The Earl of Chicago"

(M-G-M)

HOLLYWOOD, Dec. 28.—"The Earl of Chicago" is that rarity among motion pictures, a film which is primarily a character study, and yet never loses the basic ingredient of the motion picture—movement.

In a role which should win him as great critical acclaim as that he had in "Night Must Fall," Robert Montgomery is seen as a Chicago gangster turned "legitimate" after repeal, without losing the toughness of his earlier days. To the sumptuous office of his liquor business headquarters in Chicago comes a representative of an English law firm, bearing the tidings that he is the heir of vast English estates.

Urged by his general manager and lawyer, who, although convinced that he has been framed by the ex-gangster, has been forced to accept a job from him after leaving prison, Montgomery goes to England with him, and gradually learns the meaning of tradition, the charm of custom.

Then comes the discovery that he has been double-crossed by his lawyer, of whose essential honesty he had been completely convinced. As the realization comes that through the use of a false power-of-attorney his business in Chicago has been ruined, and that his holdings in England are all entailed for back taxes, the spirit of the gangster returns, as does the code, and he does the only thing he can, according to his lights, in killing the man.

Tried and convicted by his peers in the House of Lords, he is hanged, his last gesture being that of walking alone to the gallows as an English lord and gentleman.

In addition to the superb performance turned in by Montgomery, Edward Arnold, as the lawyer; Edmund Gwenn, as the English butler of tradition; Reginald Owen and E. E. Clive add stature to the production with their portrayals.

The screenplay was written by Lesser Samuels, from a story by Charles de Grandcourt and Gene Fowler, and adapted from the book by Brock Williams. It is Victor Saville's first American production, and bears the same stamp of authenticity and honest craftsmanship as did his English "Goodbye, Mr. Chips" and "The Citadel."

Richard Thorpe directed, as he did on "Night Must Fall."

Running time, 85 minutes. "G."* WALTER SELDEN

**"G" denotes general classification.*

Hammons Optimistic Of Loan from RFC

Earle W. Hammons, Educational-Grand National president, returned from Washington yesterday after two days of conferences with Reconstruction Finance Corp. officials on the proposed $450,000 R. F. C. loan for the rehabilitation of Grand National.

Hammons reported that there was a good chance of the R. F. C. acting on the loan prior to the next scheduled court hearing Jan. 5 on the Grand National financial reorganization. The R. F. C. board will meet today and again next Wednesday.

Illinois Newsreel Is Inaugurated

CHICAGO, Dec. 28.—A. F. Kamerer, has started the Illinois Newsreel. Statewide coverage of news events are to be featured in the reel, which will be issued weekly.

The newsreel is now available to all Illinois theatres. The New Telenews theatre here is among the first to show this recent innovation.

Testify in Boston Case

BOSTON, Dec. 28.—Richard Dobbyn, Maine and New Hampshire Theatres Company, testified again today in Boston's anti-trust hearing, and was followed by Milton Kusell, district manager for Paramount in New York, and T. F. O'Tool, branch manager for Columbia in New Haven and former branch manager in Boston.

San Francisco Fair To Reopen May 25

SAN FRANCISCO, Dec. 28.—Definite reopening of the Golden Gate International Exposition has been set for May 25, 1940, with the show running to Sept. 29, under terms of a reorganization plan approved in court.

Outstanding new attractions planned include a Billy Rose Aquacade, an ice skating show, and a larger Gayway with more shows, according to George D. Smith, local hotel manager, who kept up the drive for the Fair when it first appeared that bankruptcy proceedings might halt its reopening.

Club in Cincinnati Has Welfare Fund

CINCINNATI, Dec. 28.—The recently formed Cinema Club of Cincinnati, in which membership is limited to film and accessory salesmen serving the industry, has set up a welfare fund. Rudolph Knoepfle of Republic is president, and Pete Niland of Columbia, secretary and treasurer.

A board of governors will be elected at the next monthly meeting Jan. 27.

Sullivan in Nathan Post

Edward Sullivan was appointed successor to the late Lew Nathan as Paramount's official home office photographer yesterday. Nathan, who died last Monday, had been with Paramount 20 years. Sullivan, a former assistant to Nathan, has been with the company 13 years.

'Tower' Pulls Good $11,600, Philadelphia

PHILADELPHIA, Dec. 28.—Christmas shopping cut into the revenues of all houses. Showing up best was "Tower of London" with $11,600 at the Aldine.

Estimated grosses for the week ending Dec. 22:

"Tower of London" (U. A.)
ALDINE—(1,700) (32c-42c-52c-68c) 7 days. Gross: $11,600. (Average, $8,400)
"Nurse Edith Cavell" (RKO)
ARCADIA—(600) (32c-42c-57c) 7 days, 2nd run. Gross: $2,500. (Average, $2,600)
"Remember" (M-G-M)
BOYD—(2,400) (32c-42c-52c-68c) 7 days. Gross: $10,000. (Average, $13,200)
"Barricade" (20th-Fox)
FOX — (3,000) (32c-42c-52c-68c) 7 days. Gross: $9,600. (Average, $13,000)
"We Are Not Alone" (W. B.)
KARLTON — (1,000) (32c-42c-57c-68c) 7 days, 2nd run. Gross: $5,200. (Average, $3,000)
"That's Wrong; You're Right" (RKO)
KEITH'S—(2,200) (32c-42c-57c-68c) 7 days, 2nd run. Gross: $4,100. (Average, $3,500)
"Another Thin Man" (M-G-M)
STANLEY — (3,700) (32c-42c-52c-68c) 7 days, 2nd week. Gross: $11,000. (Average, $14,000)
"The Cisco Kid and the Lady" (20th-Fox)
STANTON—(1,700) (32c-42c-57c) 7 days, 2nd run. Gross: $5,300. (Average, $4,500)

'Ninotchka,' $7,800, Oklahoma City Hit

OKLAHOMA CITY, Dec. 28.—"Ninotchka" was a strong leader here in the week before Christmas, taking $7,800 at the Criterion. The weather was warm and dry.

Estimated takings for the week ending Dec. 21:

"Ninotchka" (M-G-M)
CRITERION—(1,500) (25c-35c-40c) 7 days. Gross: $7,800. (Average, $4,500)
"The Cisco Kid and the Lady" (20th-Fox)
"Heaven With a Barbed Wire Fence" (20th-Fox)
LIBERTY—(1,200) (15c-20c-25c) 7 days. Gross: $2,400. (Average, $2,400)
"Nurse Edith Cavell" (RKO)
MIDWEST—(1,500) (25c-35c-40c) 5 days only. Gross: $1,700. (Average week, $4,000)
"The Cat and the Canary" (Para.) (4 days)
"Elizabeth and Essex" (W. B.) (3 days)
PLAZA — (750) (25c-35c-40c) 7 days. Gross: $1,600. (Average, $1,100)
"Beware, Spooks" (Col.)
"South of the Border" (Rep.)
STATE — (1,100) (20c-25c-40c) 10 days. Gross: $4,500. (Average week, $3,000)
"Another Thin Man" (M-G-M)
TOWER—(1,000) (25c-35c-40c) 7 days, 3rd week. Gross: $1,400. (Average, $1,750)

Loop Theatres Sent 32,343 Yule Baskets

CHICAGO, Dec. 28.—Final reports on the Movie Christmas Basket Parties show that 32,343 baskets of food were distributed to Chicago's needy by theatremen who took part in the charity event. Jack Kirsh of Allied and Morris Leonard of Balaban & Katz were in charge.

Picket Louisville Houses

LOUISVILLE, Dec. 28.—After conference with E. H. Weyler, secretary of the Kentucky Federation of Labor, J. T. Thomas, secretary of the Louisville Urban League, declared his accord with the stand taken by the building trades unions in picketing the Lyric, Palace and Grand. The protest is against employment of Negro mechanics at wages below the prevailing scale on a fourth theatre being erected by Williston Enterprise Co., owner of the picketed theatres.

MOTION PICTURE DAILY'S BOOKING CHART

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Nov. 24	The Amazing Mr. Williams *Joan Blondell Melvyn Douglas*	Secret of Dr. Kildare *Lew Ayres Lionel Barrymore*	Roll, Wagons, Roll *Tex Ritter*	Our Neighbors, the Carters *Frank Craven Fay Bainter*		That's Right, You're Wrong *Kay Kyser Adolph Menjou*	Day-Time Wife *Tyrone Power Linda Darnell*		The Big Guy *Victor McLaglen Jackie Cooper*	We Are Not Alone *Paul Muni Jane Bryan Flora Robson*
Dec. 1	Cafe Hostess *Preston Foster Ann Dvorak*	A Call on the President *Ann Sothern Louis Stone*	Yukon Flight *James Newill*	Night of Nights *Pat O'Brien Olympe Bradna*	Cowboys from Texas *The Three Mesquiteers Carol Landis*	Reno *Richard Dix Gail Patrick*	City in Darkness *Sidney Toler* Inspector Hornleigh on Holiday		Laugh It Off *Johnny Downs Constance Moore*	Return of Dr. X *Humphrey Bogart Rosemary Lane*
Dec. 8	Fugitive at Large *Jack Holt* Taming of the West *Bill Elliott*	Henry Goes Arizona *Frank Morgan Virginia Weidler*	West of the Divide *John Wayne* Lucky Texan *John Wayne*	Llano Kid *Tito Guizar Gale Sondergaard*		Two Thoroughbreds *Jimmie Lydon Joan Brodel*	Barricade *Alice Faye Warner Baxter*		Man from Montreal *Richard Arlen Andy Devine*	Private Detective *Jane Wyman Dick Foran*
Dec. 15		Nick Carter—Master Detective *Walter Pidgeon Rita Johnson*	Westbound Stage *Tex Ritter*	All Women Have Secrets *Virginia Dale Joseph Allen, Jr.*	South of the Border *Gene Autry June Storey*		The Honeymoon's Over *Stuart Erwin Marjorie Weaver*		Missing Evidence *Preston Foster Irene Hervey*	The Mad Empress *Medea Novara Lionel Atwill*
Dec. 22		Judge Hardy & Son *Mickey Rooney Lewis Stone*	Gentleman from Arizona *Craig Reynolds*	Gulliver's Travels *Lanny Ross Jessica Dragonette*	Days of Jesse James *Roy Rogers Charles Bickford* Thou Shalt Not Kill	Escape to Paradise *Bobbie Breen Kent Taylor*	Everything Happens at Night *Sonja Henie*	Slightly Honorable *Ruth Terry Pat O'Brien*	Charlie McCarthy, Detective *Edgar Bergen*	Four Wives *Lane Sisters Gale Paige*
Dec. 29	My Son Is Guilty *Bruce Cabot Jacqueline Wells*	Balalaika *Nelson Eddy Ilona Massey*		The Great Victor Herbert *Walter Connolly Mary Martin*	Money to Burn *Higgins Family*	Hunchback of Notre Dame *Charles Laughton*	The Cisco Kid and the Lady *Cesar Romero Marjorie Weaver*	Raffles *David Niven Olivia de Havilland*	Destry Rides Again *Marlene Dietrich James Stewart*	Invisible Stripes *George Raft Jane Bryan*
Jan. 5	Two-Fisted Rangers *Charles Starrett Iris Meredith*	The Earl of Chicago *Robert Montgomery Edward Arnold*	Danger Ahead *James Newill*	Emergency Squad *William Henry Louise Campbell*		Legion of the Lawless *George O'Brien*	Swanee River *Don Ameche Andrea Leeds*		Framed *Constance Moore Johnnie Downs*	A Child Is Born *Geraldine Fitzgerald Jeffrey Lynn*
Jan. 12	Music in My Heart *Tony Martin Rita Hayworth*	The Shop Around the Corner *Margaret Sullavan James Stewart*	The Secret Four *Frank Lawton* Fatal Hour *Boris Karloff*	Geronimo *Preston Foster Ellen Drew Andy Devine*	Heroes of the Saddle *Three Mesquiteers*	Mexican Spitfire *Lupe Velez Leon Erroll*	City of Chance *Lynn Bari C. Aubrey Smith*	Of Mice and Men *Burgess Meredith Lon Chaney, Jr.*	The Invisible Man Returns *Sir Cedric Hardwicke Nan Grey*	Brother Rat and a Baby *Jane Bryan Priscilla Lane Eddie Albert*
Jan. 19	His Girl Friday *Cary Grant Rosalind Russell*	Congo Maisie *Ann Sothern John Carroll*	Front Page Lady *Warren Hull Kay Linaker*	Remember the Night *Barbara Stanwyck Fred McMurray*		Married and in Love *Alan Marshall Barbara Read*	He Married His Wife *Joel McCrea Nancy Kelly*	Rebecca *Laurence Olivier Joan Fontaine*	West of Carson City *Johnny Mack Brown*	British Intelligence *Boris Karloff Margaret Lindsay*
Jan. 26	The Lone Wolf Strikes *Warren William Joan Perry*	Lambeth Walk *Lupino Lane Sally Gray*	Pioneer Days *Jack Randall* Chasing Trouble *Frankie Darro*	Santa Fe Marshal *William Boyd Russell Hayden*		Swiss Family Robinson *Thomas Mitchell Freddie Bartholomew*	High School *Jane Withers Joe Brown, Jr.*		Green Hell *Constance Bennett Douglas Fairbanks, Jr.*	Fighting 69th *James Cagney Pat O'Brien George Brent*

Paramount Pictures

Book these PARAMOUNT SHORTS when you book your features!

DECEMBER 15 Cinecolor POPULAR SCIENCE #3

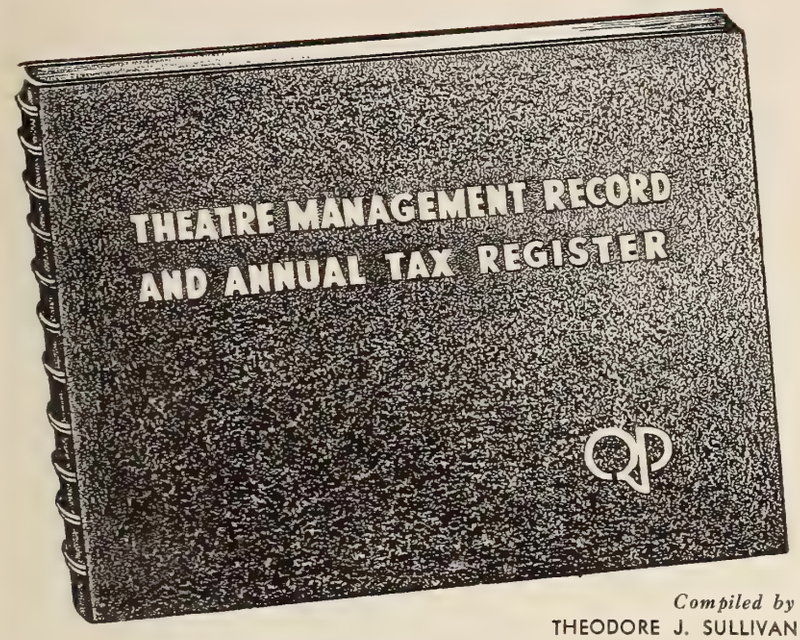
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Radio Brevities

Westinghouse Electric and Manufacturing Co. will sponsor a new half-hour series of symphonic concerts beginning Thursday, Jan. 25, at 8 P. M. over 87 NBC-Blue stations. Called "Musical Americana," the program will feature a 95-man symphonic orchestra, conducted by Raymond Paige, and will be augmented by a 24-voice mixed choir and guest instrumentalists. Deems Taylor will act as master of ceremonies and Milton Cross will announce. Kenneth L. Watt is the producer-director. The program will originate from the Carnegie Music Hall, Pittsburgh.

Richfield Oil, now sponsoring Arthur Hale in "Confidentially Yours" over WOR on Sundays, yesterday bought 25 Mutual stations for a Saturday night spot for Hale at 7:30 P. M. At the same time, Richfield extended its sponsorship of Hale until March 31 for Sundays over WOR. Sherman K. Ellis is the agency.

Edward G. Robinson will bring "Big Town" to New York for the broadcasts of Jan. 16, 23 and 30. The program, which originates in Hollywood, is heard Tuesdays at 8 P. M. over 95 CBS stations.

Lucky Strike cigarettes have renewed the "Hit Parade" heard over CBS Saturdays at 9 P. M. for an additional 13 weeks.

Niles Trammell, NBC executive vice-president, leaves today with Joseph P. Spang, Jr., president of the Gillette Safety Razor Co., for the Sugar Bowl football game in New Orleans, which Gillette is sponsoring. Trammell will make a brief trip visiting Southern stations after the game and will return to New York within a week.

WNYC, which must sign off when the sun sets in Minneapolis because of a time-sharing arrangement, begins its annual time enlargement on Jan. 1 when it signs off at 6 P. M. instead of 5:30. Incidentally, there will be considerable opposition by some members of the newly-elected City Council against continued broadcasting of council proceedings. This program, which is aired directly from the floor of the council, is one of WNYC's most popular broadcasts.

WNEW has signed two new sponsors. The Policyholders' Advisory Council will sponsor nine five-minute talks, one quarter-hour and one half-hour talk by Morris H. Siegel, for 37 weeks. The *Successful Living Magazine* will sponsor Dr. Edward Parrish in "Health News" in three quarter-hours weekly, for 52 weeks.

A new discussion series, "Which Way to Lasting Peace?" will start over CBS Saturday, Jan. 27 at 6:30 P. M. Dr. James T. Shotwell, Columbia University professor, and chairman of the Commission to Study the Organization of Peace, will preside over the programs.

'Gulliver' Held Over In Key Engagements

"Gulliver's Travels," the Max Fleischer feature length color cartoon, has been held over in most and carried over in the remaining few of its first 37 key city engagements, according to a Paramount press statement issued yesterday.

Coast Telecast Programs Depend 66% Upon Films

HOLLYWOOD, Dec. 28.—Television programs emanating from the Pacific Coast, restricted to the Don Lee station, W6XAO, the only television transmitter in the 11 states west of Kansas City, have been composed of films to the extent of 66 per cent of all material telecast.

In the 5,000 hours of television material presented since W6XAO began operations in December, 1931, more than 11,000,000 feet of film have been used, while more than 2,400 programs have been sent out to the area's 200 receivers.

The amount of film used compares with the 30 per cent used by the National Broadcasting Company in its programs since the start of regular telecasts in April, at the opening of the New York World's Fair, as reported in MOTION PICTURE DAILY of December 20th.

In a summary of W6XAO activities made expressly for the Federal Communications Commission, Harry R. Lubcke, television director, points out that 448 newsreels, 64 feature motion pictures and 69 short subjects have been televised in the eight years of operation.

Added emphasis is being placed on short subjects and far less on features, as indicated by the fact that of the 69 shorts televised since the start of operations, 48, or 70 per cent, were shown subsequent to 1935. Conversely, 52 features were telecast to the end of 1935; only 12 since then.

The short subjects used have consisted of 16 mm. films supplied by Bell & Howell, Electrical Research Products, Inc., and film libraries. "Daily broadcasts of current Pathe newsreels, changed twice weekly, were inaugurated in 1933," according to the report. These newsreel telecasts, using the product of different producers, have continued with few exceptions. In 1938, for example, 97 current newsreels were televised.

Television relies on motion pictures for educational as well as entertainment purposes, according to Mr. Lubcke, who defined one function of television for MOTION PICTURE DAILY as that of being able to provide "living room education."

"The broadcasting of a nightly newsreel when all the members of a family can be at home is an instance where the use of film is essential," the report states, adding that "a newsreel crew covering the large city in which the television station is located could pick up events of interest and have them on the air by nightfall."

Whenever aural or visual announcements have been made using the names of producers or films, the phrase "These visual broadcast transmissions are experimental" has been used.

It is ultimately expected that television shows will be sponsored, the report points out, although "the increased cost of programs and equipment" will prohibit low quality sponsorship (lengthy commercial announcements made between phonograph records.)

Plans for the coming year include the construction of a new station atop Mt. Lee, some 1,700 feet high, which will increase the reception range from 30 to 60 miles. The new portable equipment developed by the Radio Corporation of America, recently demonstrated before the FCC in Washington, will be used.

It is also planned to resume daily telecasts, extending the present Monday, Wednesday and Saturday transmissions to include every evening except Sunday, with all programs to be of more than one hour duration, and to continue and extend experimental and research work.

NBC Concert Profit $1,430,000 for '39

Income for the NBC concert division for the year was $1,430,000, the largest in its existence, the annual report revealed yesterday. During 1938, the division's income was $1,300,000. The report also revealed that the NBC Symphony benefit performance at Carnegie Hall on Dec. 2 grossed $24,000.

Two new services were started this year, a lecture service and the radio feature division. The latter division test "package shows" for commercial sponsors and succeeded in selling three shows during the course of the year—"Mr. District Attorney," "Name It and Take It" and "Four Star News."

'Rebecca' Tieup Set With Bonwit-Teller

Bonwit-Teller has given over its entire Fifth Avenue window display and main entrance space to a United Artists' tieup exploiting the new Selznick International production, "Rebecca." Engineered by Lynn Farnol, United Artists advertising and publicity director, the tieup is based on new dress and accessories creations in "Rebecca mauve," featured at the store and in the current issue of *Vogue*.

Holdovers Fixed For 'Hunchback'

"Hunchback of Notre Dame" will be held over for a second week in all nine of its pre-release engagements, according to an RKO press statement issued yesterday.

The holdover engagements are listed as: Keith's, Boston; Albee, Providence; Keith's, Washington; Palace, Chicago; Orpheum, Kansas City; Hill Street and Pantages, Los Angeles; State, Harrisburg, and Park, Reading.

The company also reported that midweek openings of the picture at the Paramount, Portland, Oregon; the Golden Gate, San Francisco; Rialto, Salt Lake City, and State, New Bedford, established house records this week.

"Hunchback of Notre Dame" opens at the Music Hall tomorrow, having been postponed from the usual Thursday change because of the holiday situation.

Stageshows to Move

F. & M. Stageshows, Inc., will move its offices to the Roxy theatre building on Jan. 5 to consolidate office space. Principal theatre offices are in St. Louis.

Army Watches Plane, Ground Telecast Tests

RCA engineers tested new portable television equipment yesterday for two-way telecasts between airplanes and ground but a public demonstration will not be made until some time next week, probably Saturday. Poor visibility yesterday made adequate tests impossible.

The United Air Lines' *Flight Research,* a plane used for experimental purposes, was equipped with two of the new portable cameras, a 5,000-watt gasoline generator, and an ultra-short-wave transmitter. The signal was picked up in the RCA building but was not sent to the NBC transmitter. When the public demonstration is made, the signal will be sent to the Empire State building by coaxial cable for re-transmission.

Experts believe that its primary use at present will be of a military nature. Representatives of the U. S. army and navy are watching the tests closely. No other government has been invited to the demonstration, but there is nothing to prevent a representative of such foreign government from tuning in on the telecast when it takes place.

From an entertainment standpoint, RCA officials believe that it will open up a new field in special events coverage. At present, any occurrence in the metropolitan area could be covered by plane and placed on the air within a few minutes after it happened. Later, when network television becomes a reality, floods, accidents, parades and a host of other news features will be available for television.

Roosevelt Names Henigson As Aid

HOLLYWOOD, Dec. 28.—James Roosevelt today appointed Henry Henigson, production and distribution executive, as vice-president and associate producer of his recently formed Globe Productions, Inc.

Henigson joins the Roosevelt company this week and will concern himself with the completion of production personnel. Roosevelt said a release deal would be announced shortly.

Globe will produce two pictures this year, first of which is to be "The Bat." Associated with Roosevelt are Guy Prosper, story editor; Dee Izzard, production manager (through arrangement with Samuel Goldwyn), and Henry Verstappen, general production assistant. John LeRoy Johnston, publicity director for Walter Wanger Productions, will serve as press contact for Roosevelt in addition to his Wanger duties.

Virginia License, Tax Total $30,166

RICHMOND, Dec. 28.—The State of Virginia collected $30,166.71 in license fees and taxes in 1939, according to the Department of Taxation. In the previous year, $30,178.33 was collected.

The report also showed that there were 745 theatres in operation this year compared to 749 last year.

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